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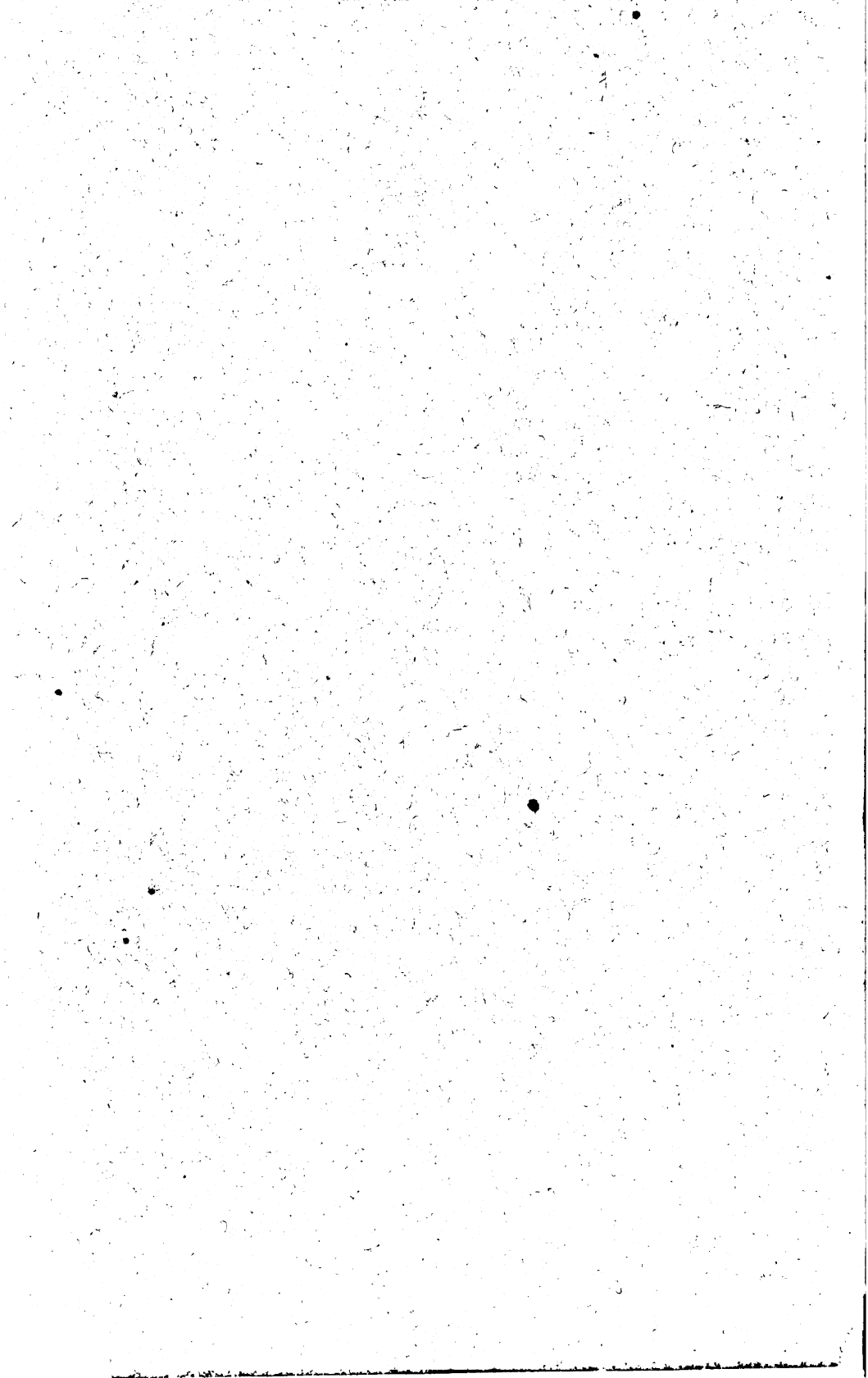


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REPORT
OF
COMMISSION
ON THE
AFFAIRS OF THE NARRAGANSETT INDIANS,
MADE TO THE
GENERAL ASSEMBLY,
AT ITS
JANUARY SESSION, 1881.

PROVIDENCE:
E. L. FREEMAN & CO., PRINTERS TO THE STATE.
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REPORT.

To the Honorable the General Assembly of the State of Rhode Island and Providence Plantations, at its January Session, A. D. 1881 :

The undersigned Board of Commissioners—appointed under Chapter 800 of the Public Laws, passed at the January Session, A. D. 1880, an act entitled “An act to abolish the tribal authority and tribal relations of the Narragansett Tribe of Indians,” in accordance with the provisions of said act that the said Commissioners shall annually report to the General Assembly at its January Session—respectfully report:

That, as soon as practicable after their appointment under the act, they duly qualified themselves to serve as said Commissioners, and met in Providence on Thursday, April 29th, 1880, for the purpose of organization, Mr. Dwight R. Adams was chosen Chairman of the Commission, and Mr. William P. Sheffield, Jr., Secretary.

The Commission deeming it of importance, for the performance of the duties imposed upon them by the General Assembly, that the deed of the common tribal lands and rights of the Indians by their council should be obtained at the out-set, met the members of the Indian Council for the purpose of conference as to the giving of the above deed at the office of Mr. George Carmichael, Jr., at Shannock Mills, on Saturday the eighth day of May, and after a full discussion on the part of the Indian Council of the giving of the deed, its effect and the resulting dissolution of the tribe, they agreed to meet the Commission in Providence for the purpose of executing the deed, and on Saturday,

the 15th day of May, the Commission met at the State House in Providence, with the members of the Indian Council, in the presence of His Excellency Governor Littlefield, Secretary of State Addeman, and other officials of the State, and thereupon the Council of the Narragansett Tribe of Indians, after hearing read to them the deed which had been prepared with the approval of the Attorney General, executed the same, quit-claiming to the State of Rhode Island all the common tribal lands and rights of the said tribe of whatsoever kind and nature, with the exception of the Indian meeting-house and lot, the use of which was reserved to the religious society now occupying it. A copy of this deed is annexed to this report. (See Appendix A.)

At the meeting at Shannock Mills, May 8th, the Commissioners, after consideration, contracted with Mr. John L. Kenyon, of Richmond, a surveyor of experience and well acquainted with the lands in the town of Charlestown, to take charge of the survey of the Indian lands thus conveyed to the State, as authorized by the act, with directions to push forward the survey to completion as soon as possible.

The Board of Commissioners then proceeded to the next duty devolved upon us by the act, viz: The determination of the question who were members of the tribe, and of the apportionment of the five thousand dollars purchase money, given by the State, among the members. To which questions, as they involve the rights of property of the members of the tribe to the proceeds of their tribal lands and rights, the commission has given patient and careful attention. At their first meeting at Shannock Mills the undersigned Commissioners obtained, through the members of the Indian Council, a list of the members of the tribe residing in and about the reservation for the purpose of identifying and locating those members of the tribe; and at the next following meeting in Providence the Commissioners appointed Saturday, June 26, 1880, at ten o'clock in the forenoon, and the Indian meeting house in the town of Charlestown as the time and place of holding the public hearing authorized by the act, which hearing was duly notified in the manner indicated in and according to the letter and spirit of the act, endeavoring to give full notice to all interested, as far as was possible.

But, before the public hearing on June 26th, as several questions had presented themselves already to the Commissioners in regard to what constituted membership of the tribe, and as to the manner in which the purchase money could be equitably distributed among those who had been determined to be members of the tribe, they requested, as had been provided for in the act, the opinion of the Attorney General upon the following questions:

I. In distributing the money among the members of the tribe, should it be done with any reference to the statute of distribution of Rhode Island, or should every man, woman and child, a member of the tribe, take an equal share, irrespective of his or her ancestor?

II. Can a member of the Narragansett Tribe abandon his tribal relations, and what acts would be evidence of an abandonment? What effect should be given to these acts: selling the individual lands, having a domicile and residing out of the town of Charlestown; voting in any town in this State; long absence from participation in tribal affairs and voting for members of the council?

III. In view of the act of 1792 (February), can the descendents of an Indian man and a negro woman be considered a member of the tribe?

IV. If an individual has been elected a member of the Indian Council by the tribe and acted and served as such for a period of years, or one has continually been permitted to cut wood in the "swamp" (as only Indians are), or been supported by the Council as an Indian pauper, would not these facts be considered as evidence of a virtual adoption by the tribe, and its members be estopped from denying his membership?

To these interrogatories the Attorney General gave the following reply:

STATE OF RHODE ISLAND,
ATTORNEY GENERAL'S OFFICE,
PROVIDENCE, July 24th, 1880. }

Wm. P. Sheffield, Jr., Esq., of the Indian Commission:

DEAR SIR:

I have examined your communication of the 6th inst., and also those of the 8th and 14th, same month, relative to the distribution of the purchase money due to

the Narragansett Tribe of Indians under Chapter 800 of the Public Laws, and have the honor to reply to the several questions as follows:

First.—"In distributing the money among the members of the tribe, should it be done with any reference to the statute of distribution of Rhode Island, or should every man, woman and child, a member of the tribe, take an equal share, irrespective of his ancestor?"

My opinion is, that it should be divided equally among the men, women and children of the tribe.

Second.—"Can a member of the Narragansett Tribe abandon his tribal relations, and what acts would be evidence of abandonment? What effect should be given to these acts?"

I think he can abandon his tribal relations. The evidence of such abandonment is a matter of fact to be determined from all the circumstances. Such abandonment might be legally inferred from his selling his individual lands, long absence from the tribe with the avowed intention of not returning; purchase of lands in another community and being received into that community with all the rights of its (other) citizens. In that case, he would not be entitled to any portion of purchase money.

Third.—"In view of the act of February, 1792, can the descendant of an Indian man and a negro woman be considered a member of the tribe?"

I think he can. The act of 1792 withholds a certain right to vote from such person; but males under the age of twenty-one years and females, though members of the tribe, were subject to the same disability.

In the event, however, of any doubt upon this question, I think, in answer to your fourth enquiry, that such person could be adopted by the tribe in the manner you suggest. For, if I understand that question, it is, whether the descendant of an Indian man and a negro woman can be adopted by the tribe, and thus become a member, to share its rights and privileges.

I am glad to say again that I am much pleased at the intelligent zeal, interest and industry you have shown in this new field of enquiry, and that I am indebted to you, rather than you to me, for the conclusions I have come to.

Regretting that I have been obliged to delay my answer so long, I am

Yours respectfully,

W. SAYLES, *Attorney General.*

Afterwards, taking into consideration the amount of testimony likely to be offered at each public hearing, the necessity of proceeding from one claimant to the next as rapidly as possible, and the importance of carefully considering and applying principles to each case pre-

sented at leisure, your Commissioners contracted with Mr. George W. Millard, a stenographer, to be present and report the proceedings at each public hearing.

The Commission then held three public meetings for the purpose of hearing all persons thus interested in the proceeds of the lands conveyed to the State, as follows: On Saturday, June 26th, 1880, at 10 o'clock in the forenoon, at the Indian Meeting House, in Charlestown, on Wednesday, July 14th, at Samoset Hall, in Charlestown, and on Wednesday, July 29th, at said Samoset Hall.

The proceedings at these meetings were conducted in the following manner: each claimant presented to the Commission his name, with a statement of sufficient facts to identify him and the ground of his claim, then each name so registered was taken up with the statement of the claimant in order, and objections were publicly called for, on the part of any person interested; if there were no objections, and it appeared from the statement of the claimant that he was a member of the tribe, his name was placed upon the list; if there was an objection, the party claiming was called upon to give his testimony upon oath and produced other witnesses and evidence in support of his claims, and the testimony of the objector was heard and the case was reserved for decision.

In this way each claimant was given a fair hearing and time was economized as much as possible. At these hearings the names of 473 claimants were presented to the Commission and their claims were duly heard. Several of the claims were urged by counsel, as also was presented the question of what members should receive a share of the purchase money, and after all persons who appeared and desired to be heard, had been heard, the hearing was duly closed. The report of the proceedings of and the testimony taken at these meetings by the stenographer in annexed hereto. (See Appendix B.)

The questions of law, or rather the principles to be applied to the different claims presented to the Commission, seemed to be all included in the interrogatories propounded to the Attorney General, and to these involving, as they do, to some extent the customs and history of the Narragansett Tribe, and the whole legislation of the State of Rhode

Island with reference to this Tribe, this Commission has endeavored to give the attention and study it deserves. And in regard to the first question, as to what members of the Narragansett Tribe of Indians should receive a share of the purchase money, several views were propounded ; it was first contended that the money should be divided according to the Statute of Distribution, which position was afterwards abandoned ; second, it was argued that the heads of families alone should receive the money, according to the number of members in each family ; thirdly, the position was put forward that every adult of the age of twenty-one years and upwards should receive one equal share of the money, and still another method was the giving of one equal share to each man, woman and child of the tribe, which position was finally acquiesced in by all, as this Commission understands and believes. The Indians, however, wishing that each child's share should be paid to its parent at once. These various positions the Commission has considered. In regard to a division according to any existing Statute of Distribution, there seemed many and conclusive objections. The Statute of Distribution though extended by "the regulations drawn up at Charlestown, in 1792," to the lands of Indians owned in severalty, has never been applied to the common tribal property, and any division according to the Statute, being extremely difficult, would also be unjust and inequitable to the interests of nearly all the members of the tribe. There have also appeared to the Commission serious objections to the other methods suggested, except the last, as they were manifestly unjust to a certain class of the tribe, and the method of limiting the money to adults is without any foundation in the tribal practices and customs, for, though by the act of the Assembly in 1792, the period of twenty-one years was introduced into the tribe as a requisite of exercising the voting privilege, it has never been introduced or recognized by the tribe as having anything to do with their property rights and certainly not with their common tribal rights. The Commission has, therefore, been led to distribute the money according to the last mentioned of these methods, among every person, whether an adult or minor, being a member of the tribe, not only because this method seemed to be the only equitable one, but also be-

cause it seemed to the Commission that regarding the purchase money as the equivalent paid by the State for the common tribal lands and rights, as appears from the intent of the act and as of necessity it should be. Then, as the tribal lands were vested in the tribe, not by virtue of descent, not as adults or minors, but rather by succession, the tribe being always the same, and being at any one time, all its members at that time, men, women and children. Then there is no rule but one, to fix the exact time when a person becomes a member of the tribe and that one is that every person born into the tribe, is from his birth a member of the tribe, as much as a person born into any civil society is a member of the society or State into which he is born. The tribe in ascertaining its membership has not and cannot have anything to do with family relations beyond the ascertaining, if the person was born of a parent who was a member. It exacted allegiance from and gave protection to all who were born within and adhered to the tribe without regard to age or sex, and your Commissioners have therefore determined that the members of the tribe are all equally entitled to these proceeds of their common tribal lands. As to what action is necessary in paying to each minor his respective share of the purchase money is respectfully submitted to your Honorable Body.

The other principal question that has engaged this Commission at this stage of their proceedings has been, can the tribe adopt persons into the tribe who were not birth-right members? and the co-relative question, can a member abandon his tribal relations? In determining the first of these questions history aids in showing that even in the most flourishing days of the Narragansett Tribe, they adopted whole communities, as in the case of the Aquidnecks from Rhode Island, a portion of the subjugated Wampanoags, and of the subdued Niantics, and in many instances, after the great swamp-fight and the breaking up the other communities, and individuals were adopted into the tribe, as in the case of Soso, a renegade Pequot, one of Miantonomi's trusted chieftains, and that this has been the general practice of the Indian tribes of the United States since is authoritatively shown by

the decision that even a white man may be adopted into an Indian tribe.

2. Opinion of Attorney-Generals (U. S.), 402.

7. id.

755.

Then, on the other hand, it would seem that an Indian would be able to abandon his tribal relations. An Indian, born into the tribe, can, by his own act, remove himself out of the local habitation of the tribe, may enter and enjoy the privileges of some other community, may become a citizen of this or some other State, and may cease to exercise any of the distinctive rights or duties of the Narragansett Tribe. This reasonable view of the question is supported by the legal authority above quoted, and by others. This abandonment of the tribal relation, therefore, is a complex question of fact, to be determined from the intent of the parties, and from all the surrounding circumstances in the same way as the question of adoption is to be determined from the action of the tribe and its members, and from the abandonment of the party of all ties of citizenship outside of the tribe. Your Commissioners have accordingly received evidence, not only of the pedigree and right of members by birth to the tribe, but also of the exercise of the tribal rights and privileges, and of the ceasing to exercise those rights, and of their exercising the rights and subjecting themselves to the duties imposed upon citizens of the State, by claimants to membership of the tribe, and we have endeavored to give patient consideration to each of the surrounding circumstances, as they were presented to us.

The Commission for the purpose of facilitating the performance of their duties, established a reasonable period within which they thought a person residing in a community outside of the tribal relation, might be supposed to exercise some one of his tribal rights or subjected himself to some of his tribal duties, or to have abandoned them. From testimony presented to us, establishing that it had been the custom in years passed for the tribe, in case a member of the tribe did not appear within ten years and a day to claim his individual Indian lands, or to renew his lease of them to his lessee, to assume

control of the lands, and to use them as common tribal lands, supposing the owner to have abandoned the tribe, and from the reasonableness of the period, the Commission have generally considered that each claimant should show some exercise of his tribal rights within that period, but this period of time has not been regarded by the Commission as at all influencing them, when, from the circumstances, it appeared that the claimant had not intended to, and had not abandoned the tribe, even though from any reason his absence had been much longer, and that the circumstances might indicate an abandonment within a much shorter period.

The Commission carefully considering the evidence presented to them in each case, as to the different claimants, found that there were three hundred and two members of the tribe—a list of whose names is appended to this report—and found that they were each entitled to one proportionate share of the five thousand dollars, amounting to \$16.56 each. (See Appendix C.)

In the meantime the survey of the lands had been in progress, and it was endeavored to be so conducted as to adjust most questions that should arise, as the survey proceeded, by having the parties present with the surveyor, to point out their boundaries and to show their title deeds to the adjoining land, and in this way, through the co-operation of the surrounding proprietors, the platting of the common lands was materially aided, but on account of difficulties in the work, more than was anticipated, from the rugged character of the land and the necessity of cutting in many cases through the brush in order to run the lines of the surveyor. This work was not completed until toward January.

During the summer the appropriations voted by the General Assembly at its May session for the carrying on of the survey had been exhausted, and as the laborers under the direction of the surveyor had to be paid monthly, in order that there might be no delay from this cause in accomplishing the duties imposed by the act, and thus the advantage of the Fall of the year be lost, the Commission negotiated their individual and joint note at the Centreville National Bank,

of Warwick, to raise the sum of \$600, wherewith to continue the survey.

As soon as the plats of the surveyor were presented to the Commission in January, notice was at once issued to all persons interested to appear at a day fixed therein to consider the question of determining the boundary line between the common tribal lands conveyed to the State of Rhode Island and the adjoining proprietors, and such other questions as would properly come before the Commission with reference to the Indian lands and the survey thereof. The Commission then held three public meetings which had been duly notified, as follows: The first at the Indian Meeting House, January 5th, 1881; the second at Hoxie's Hall, in the town of Charlestown, January 7th, and the third at Hoxie's Hall, January 12th, where all persons who appeared and so desired were heard upon all questions connected with the lands and rights of the Narragansett Tribe of Indians, properly before the Commission, and as to the boundary line of the common tribal lands conveyed to the State.

Upon this portion of their duties the Commission encountered the following questions as applied to the different claims presented to them:

I. The Indians claimed, before your Board of Commissioners, that the tribe owned not only the reservation in the town of Charlestown, but a strip of land five rods in width along the shores extending from Westerly around Point Judith and up the bay to the mouth of the Blackstone River.

II. There were presented also questions of boundary between the tribal lands and the adjoining proprietors, between the Indians holding lands in severalty and the tribal lands, and between different Indians holding lands in severalty under tribal grants.

III. There was one Francis Cooper, who appeared and claimed all of the Indian lands deeded to the State, as being the next of kin and heir at law of the last Ninigret, Chief Sachem of the tribe.

The first of these claims to five rods of land along the shore was pressed with confidence by the Indian Council, as resting on a well-

defined tradition, and upon deeds which had been destroyed, the reason they assigned for the reservation of this right to the shore, being the protection of their interests in the fisheries of the State. But unhappily for this claim the attention of the Commission has been directed to the deed executed by Thomas Ninigret, with the concurrence of his council to the Colony of Rhode Island, bearing date the 28th of March, A. D. 1709, which purports to convey and did convey to the Colony all the tribal lands within its limits, excepting only the reservations made in the deed, a copy of which deed is hereto annexed and made a part hereof. (Appendix D.) This deed seemed to the Commission to effectually dispose of this part of the claim of the Indian Council.

II. In coming to a proper judgment on the questions of boundary, the Commission encountered the provisions of the Statute in reference to adverse enjoyment, and the solution of this question involved another, who were the ultimate owners of these tribal lands before the conveyance made by the Indian Council to the State? The answer in reference to the operation of the Statute would seem to arise at the threshold of the inquiry. If the ultimate title to the lands was in the State, unless the State is mentioned in the Statute as a party to be bound by it, the Statute would not run against the State, *nullum tempus occurrit regi*. If the ultimate fee belonged to the Indians, the Indians were under disabilities and could not sue, and the Statute does not run against the parties thus situated. Though these positions seem equally tenable, yet some may think the second position less sound, and in this view of the case, as well as in the consideration of the next following question, it seemed fitting to consider the rights of the State in the lands anterior to the conveyance of them by the Indian Council to the State. That the first English settlers upon the lands of the Narragansetts believed that the Indians were the absolute owners of the soil, there can be no question. Roger Williams early before he left Massachusetts is reported to have expressed himself to the authorities of that Colony, thus: "Why lay such stress upon your patent from King James of England? Your patent is but a parchment. James has no more right to give away or sell

Massasoit's lands, and cut and carve the country, than Massasoit has to sell James's, or to send his Indians to colonize Warwickshire;" see, 1 Eliot's His. New Eng, 197; but the granting and accepting of the charter of Charles II. settled this question, and Rhode Island acquired then the same rights to the Indian lands within its jurisdiction as the other colonies had to the lands within their jurisdictions. The Supreme Court of the United States says by Chief Justice Marshall, in *Johnston vs. Macintosh*, 8 Wheat. 603: "the very grant of a charter is an assertion of the title of the crown, and its words convey the same idea, the country granted is said to be Rhode Island, &c., and the charter contains an actual grant of the soil, as well as of the powers of Government." From these and other authorities the Commission has been led to consider it as authoritatively settled, that the ultimate title to the lands of the tribe was vested in the State subject to the possessory right of the Indians, and that the State could not convey these lands without the assent of the Indians, any more than the Indians could convey without the assent of the State.

In determining, therefore, the Commissioners have sought to find fixed boundaries, and where they have found such monuments, they have regarded them as settling the lines involved in dispute, and where no real boundaries could be found, they have endeavored to follow the deeds as closely as possible, and have considered the line of occupation of the adjoining owner, as evidence tending to show where the true line is.

In regard to the lines between individual owners of Indian lands in severalty, there has been but little dispute, as the bounds have been well kept up, and in all cases in which the Indian Council has acted upon subjects within their jurisdiction in times past, the Commission has regarded their decision as binding upon them, and more likely to be correct than one which can be arrived at by them at this later date. In several cases the heirs of deceased persons wished the Commission to make a division of these individual Indian lands among them. But this the Commission has declined to do, considering that from and after the act, the Indians ceased to be such, and had all the rights

and privileges of other citizens in the Probate Courts of the different towns and other courts to pursue their remedies in the matter.

III. As to the claim of Mrs. Francis Cooper to all the tribal lands as next of kin and heir at law of the Ninigrets, this Commission has carefully heard the evidence and arguments upon the claim presented to them, and granting that the claimant was sole surviving heir of the Ninigrets, which she failed to establish to the satisfaction of the Commission, it seemed to your Commissioners that she had no title to the lands, for even if Ninigret had held the fee of these lands, as we have already considered he did not, he would have held them *jure coronae* and not as his personal estate, by virtue of his being Chief Sachem of the Narragansett Indians in trust for all the members of the tribe, and not such an estate as would descend to his heirs at law, but would be vested in the tribe in its quasi-corporate capacity.

Among the lands which has been caused to be surveyed by the Commission, has been the land situate within the boundaries referred to in the annexed deed of Thomas Ninigret, and covered by water, known as "Deep Pond," "School-House" or "Cockampaug Pond," and "Watchaug Pond." All previous deeds of land given by the tribe under the authority of the Legislature only extend to these ponds, and the tribe has always refused to part with them, deeming them their most valuable tribal property for the purpose of fishing. Watchaug Pond is estimated to contain four hundred and fifty acres, School-House or Cockampaug Pond one hundred acres, and Deep Pond twenty-two acres. These have been now conveyed to the State, and your Commissioners respectfully submit to your Honorable Body, whether it is your will that these ponds should be disposed of by the Commission, or what other arrangement with regard to them may seem fit to you.

The tribal lands yet remain undisposed of. The survey, owing to encountering difficulties in its execution which were not fully anticipated, was not completed, and the plat of the lands made until about the 1st of January instant, and your Board deemed it unadvisable to offer the lands for sale in mid-winter, for reasons too obvious to need

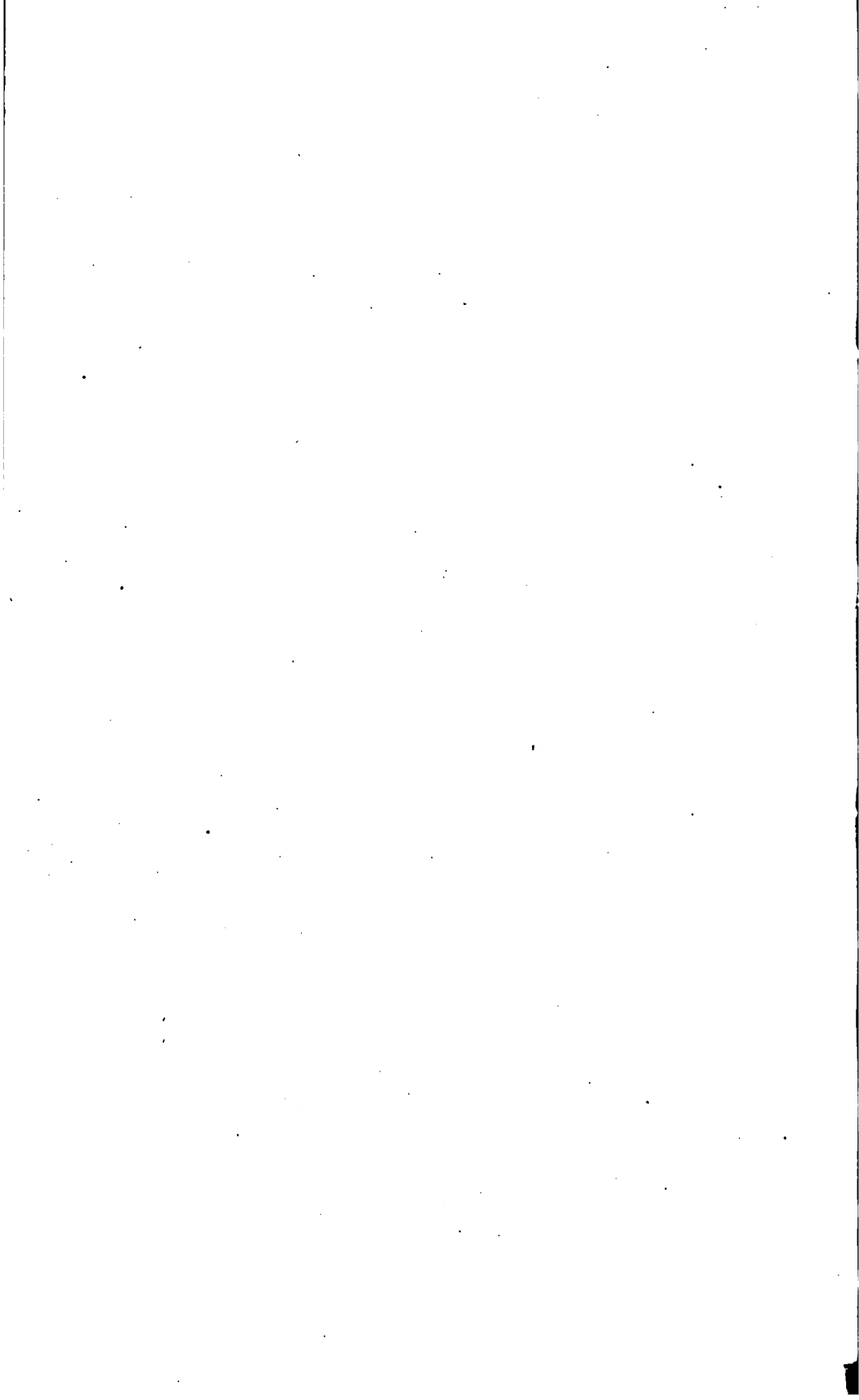
recital, but purpose to put the same upon the market by public auction, as required in the act, in suitable lots in May or June next, unless they are otherwise directed by your Honorable Body. Within these lands is the Indian Fort, in a tolerable degree of preservation. As this hitherto has been a point of considerable historical interest, it has occurred to your Commissioners to propound to your Honorable Body whether or not you desired to give the Commission any further instructions in reference thereto? There is also within the reservation a school-house, and the lot of land upon which it is located, which might possibly be made available to the town of Charlestown to be used in connection with its school system, or as it is centrally located might be of use to that town as a town-house. But if desired by the town for either of these purposes, it is respectfully submitted to your Honorable Body to say whether or not the town should be left to compete with other bidders for its purchase, or that you will grant it to the town on more favorable terms? A copy of the draft of an unexecuted deed in reference to this lot, on file in the Secretary of State's office, is herewith annexed and submitted to your Honorable Body for consideration. (See Appendix E.) There was also a lot, (Missionary lot), now within the limits of the reservation, which was granted by Thomas Ninigret by deed, a copy of which is hereto annexed, (Appendix F), as a site for an Episcopal Church, your Commissioners respectfully submit to your Honorable Body whether the premises in question should be treated as within the lands conveyed to the State and to be sold by them, the premises having long ceased to be used or claimed by any Episcopal Church for church purposes, if they have ever been so used or claimed, and, further, what action may be necessary to be taken in reference thereto? They, therefore, leave the subject for the consideration of your Honorable Body, remarking, however, that unless they receive special instructions in reference to the disposition of these three parcels of land, that they shall deem it to be their duty to dispose of the same with the other tribal lands.

A plat of the boundaries of these lands as determined by the Commissioners is herewith presented and annexed hereto, together with

the Report of the Surveyor (Appendix G,) to the Commission accompanying the same upon the quality and extent of the lands owned by the State. Your Commissioners have held in all 19 meetings, 11 of which have been of a public nature. Your Commission further report that they have filed in the Clerk's Office of the Supreme Court for the County of Washington, a report of their doings and determination in the above matters, together with a list of the names of those entitled to a share of the purchase-money given by the State, and a plat of the lands as determined by them, in accordance with the provisions of the Chapter under which we act, which report and plat will be before the court at its coming term, within and for the County of Washington, on the third Monday in February, for such action as the court may see fit to take thereon. Your Commission would, in conclusion, state that they have given to the difficult and delicate subject committed to them the best consideration under the circumstances they could bestow upon it; that they patiently heard all of those persons who have had claims upon their attention, and that they have endeavored to discharge their varied and complicated duties in the light of the judicial character which was imposed by the act, upon the subjects committed to their investigation and decision. They do not affect to have been unmindful that their duties were to bring to a determination the relations which have existed between the citizens of Rhode Island and the Narragansett Tribe of Indians, from the settlement of this Colony up to the time of the institution of this Commission, and that they have studied the history of these relations, and they have striven to bring these relations to an end in such a manner that there should be nothing in the conduct of your Commissioners which shall reflect discredit upon the State, and this is the apology they present for the number of meetings they have held, and the long time they have given to the discharge of the duties with which they have been entrusted.

DWIGHT R. ADAMS,
 GEORGE CARMICHAEL, JR.,
 WILLIAM P. SHEFFIELD, JR., } *Commissioners.*

JANUARY, 1881.



APPENDIX A.

DEED FROM THE INDIAN COUNCIL TO THE STATE OF RHODE ISLAND.

Executed May 15th, 1880.

Know all men by these presents, that we, Benjamin Thomas, Joshua H. Noka, Brister C. Michael, Daniel Seketer, and Gideon Ammons, all of Charlestown, in the County of Washington, in the State of Rhode Island, together constituting the Indian Council, duly elected and legally qualified for the Narragansett Tribe of Indians, acting herein collectively in an official capacity as the Council of the said tribe, for and in consideration of the sum of five thousand dollars to be paid by the State of Rhode Island upon the final delivery hereof; the receipt of which, for and in behalf of the said Narragansett Tribe of Indians in the manner set forth in the provisions of Chapter 800 of the Public Laws of the State of Rhode Island, is hereby acknowledged, do hereby, by virtue of the provisions of the said Chapter 800 of the said Public Laws, and as the Council of the said tribe, acting for and in behalf of the said tribe, grant, remise, release, and forever quit claim unto the State of Rhode Island and Providence Plantations all of the right, title, interest, claim and demand of the said Narragansett Tribe of Indians and of every of them, in and to all their common tribal lands, now contained within the Indian Reservation, so called, as bounded A. D. 1709, and all their other tribal rights and claims of whatsoever name or nature, and wheresoever situated within the limits of the County of Washington aforesaid or elsewhere, and especially within the limits of the town of Charlestown.

To have and to hold the same to the said State of Rhode Island and Providence Plantations and its assigns forever fully and clearly discharged and acquitted from all claims or demands of the said Narragansett Tribe of Indians and of the members of said tribe; but the provisions of this deed shall not be construed to include any lands belonging in severalty to the members of the said tribe, and the Indian meeting-house and the lot of land containing two square acres about the said meeting-house, of which the said house shall form the centre; and the way now travelled extending north and south two rods in width through the said reservation, are so far excepted from this grant, that the said meeting-house and lot shall be subject to the control of the congregation worshipping in the said meeting-house; and that all persons shall have the right to pass and repass over the said way in going to or coming from the said meeting-house and lot in con-

nection with the worship conducted at the said meeting-house, or with the care, improvements or management of the said house and lot as a place for public worship, during such time as they shall use the same for purposes of public worship. And we, the said Benjamin Thomas, Joshua H. Noka, Brister C. Michael, Daniel Seketar and Gideon Ammons for ourselves, our heirs, executors and administrators do hereby covenant to and with the said State of Rhode Island, that we are the Indian Council aforesaid, duly elected and qualified, and that we have acted herein as the said Indian Council for and in behalf of the said Narragansett Tribe of Indians, and in all matters appertaining thereto, in strict accordance with the authority conferred upon us by law; and that upon the execution hereof we shall have done all things needful to be done to vest in the said State of Rhode Island, &c., all the right, title and interest of the said Narragansett Tribe of Indians in and to the before described premises. In witness whereof, we, the said Benjamin Thomas, Joshua H. Noka, Brister C. Michael, Daniel Seketer and Gideon Ammons, as the said Indian Council, and for and in behalf of said Narragansett Tribe of Indians, have hereunto set our hands and seals this fifteenth day of May in the year of our Lord one thousand eight hundred and eighty.

In the presence of
 "or elsewhere," line 26, "during
 such time as they shall use the same
 for purposes of religious worship,"
 line 16 interlined before signing.

BENJAMIN THOMAS,	[L. s.]
JOSHUA H. NOKA,	[L. s.]
DANIEL SEKETER,	[L. s.]
GIDEON AMMONS,	[L. s.]
BRISTER C. MICHAEL,	[L. s.]

J. M. ADDEMAN,
 JOEL M. SPENCER,
 ALFRED H. LITTLEFIELD.

STATE OF RHODE ISLAND, PROVIDENCE, SC.

PROVIDENCE, May 15, A. D. 1880.

Then personally appeared the before named Benjamin Thomas, Joshua H. Noka, Daniel Seketer and Gideon Ammons, and severally acknowledged the before written instrument to be the free voluntary act and deed of the said Indian Council for and in behalf of the said Narragansett Tribe of Indians, and their own respective free act and deed.

Before me,

W. P. SHEFFIELD, JR.,
Notary Public.

WASHINGTON, SC.

RICHMOND, June 26, 1880.

Then personally appeared Brister C. Michael and acknowledged the above instrument to be the free act and deed of the Indian Council, and his own free act and deed.

Before me,

W. P. SHEFFIELD, JR.,
Notary Public.

Received for record June 26, 1880, at 2 o'clock P. M., and recorded by

CHARLES CROSS, *Town Clerk.*

A true copy.

Witness:

CHARLES CROSS, *Town Clerk.*

APPENDIX B.

Report of the Proceedings of the Indian Commission at the
Six Hearings for the Registration of the Names
of Claimants for the Purchase Money,
the Correction of the List,
and Other Matters Con-
nected Therewith.

REPORTED BY GEORGE W. MILLARD, STENOGRAPHER.

FIRST MEETING.

The State of Rhode Island having purchased of the Narragansett Indians the land owned in common by them, known as the tribal lands, the Commissioners appointed by the Legislature, composed of Messrs. Dwight R. Adams, George Carmichael, Jr., and William P. Sheffield, Jr., met at the Indian meeting-house, in the town of Charlestown, on Saturday, June 26th, 1880, at 10 o'clock A. M., for the purpose of ascertaining who were members of the Narragansett Tribe, and entitled to a share of the purchase money. Thomas H. Peabody, Esq., of Westerly, and James C. Collins, Esq., of Providence, appeared as counsel for certain parties.

After the Secretary of the Commission had read a list of names, furnished by the Indian Council, and objections to certain names had been noted, an opportunity was given to all whose names had been omitted to present themselves for registration, each being required to answer a certain set of questions; and as, with one or two exceptions,

the objections to claimants were made by Edward S. Cone, unless otherwise designated in the following report it is to be understood that the objection was made by him. The following is a stenographic report of the proceedings:

MR. ADAMS.—It seems, by this great gathering of the Indian tribe, that there is a great interest at stake. There is something which has a tremendous power of magnetism to draw us here. Perhaps the commencement of this affair occurred in the winter of 1879, when the then President of the Council, Mr. Ammons, and others, petitioned to the Legislature, then in session in Providence, to appoint a committee to investigate the condition of affairs of the Narragansett Tribe of Indians, located in the town of Charlestown. After a long talk in the Legislature, it was finally voted in one branch to appoint a committee of three to make a careful investigation of this matter; and they were so appointed, in February. July 30th, 1879, this committee met in this house, after due notice and advertisement to the tribe and those interested in the tribe—the town of Charlestown and others—to assemble here and state their grievances, and see what could be done in relation to their condition. We met here on the 30th of July, at 10 o'clock in the morning, and had a long session lasting about five hours. The Council made voluminous statements in regard to the condition of the tribe, a committee from the town of Charlestown was present and gave their views in relation to the matter, and dignities from other parts of the State were also present and spoke upon the question. The general tone of the meeting was that it was best on the whole that something definite should be done for the tribe,—to abolish it, or something,—and to have a new state of things in this town.

The next meeting was held at Cross' Mills, in the town of Charlestown, on the 13th of August. There was not so large a gathering as at the first meeting, the general topic of discussion being the Indian school. It was thoroughly discussed, and decided that the Indian school was a failure; that the money that had been appropriated for the school had been spent, of course, in a legal way, but that the results were not such as to warrant the school being kept in the future.

The third meeting was held in this place October 31st, 1879, in which matters were brought down definitely as to the amount of property the tribe held, and the location and value of it. A very general discussion was held upon that particular point—the property held by the tribe, and its general value if sold.

The next meeting was held in the office of George Carmichael, Jr., at Shannock Mills, December 26th, 1879. None were present except the committee and the members of the Council. After a very familiar and easy talk upon the whole question in all its bearings, upon the value of the property, &c., the Indian Council voluntarily, each one separately upon question, agreed to sell all their rights and benefits in the tribal land in the town of Charlestown and elsewhere, for the sum of \$5,000. The committee immediately closed the bargain. We thought it was a generous offer on their part to sell for so much money, and we thought it was generous on our part to immediately close the bargain.

The next meeting of the tribe was in March, when the tribe elected their Council for the year ensuing. On that occasion the act which was passed in the Assembly last winter was publicly read before the meeting, and the contract entered into by the Indian Council with the committee was commented upon and known to all parties present. The result of that meeting was the re-election of the old Council, which was proof positive in our minds that the transaction they had entered into with us in behalf of the tribe was satisfactory to the tribe.

On the 15th of May, 1880, the Council assembled in the State House in Providence, and freely conveyed to the State, by giving a quit-claim deed, all the tribal property in the town of Charlestown and elsewhere, each one separately upon question, so that it made the act entirely voluntary. We didn't want any compulsion about it, and no undue persuasion upon any member; and the whole thing, as we consider it, has been a voluntary transaction on their part. It was thought best by the ablest judges who were present, and who have discussed the matter since very thoroughly, that the tribe should be abandoned as a tribe, and be made citizens; and the general conclusion in the tribe, I think, was that that was the best thing. The result was, that at the last spring election some of the members of the tribe voted, for the first time in the history of the tribe, and cast their votes for our excellent Governor, who is to-day present with you, to view this large assemblage of his subjects, as they are now in every sense of the word.

We are here to-day according to a notice which has been in all the papers of the State, which I will read. Section 3d of the act provides that thirty days' notice shall be given of this meeting. Notice was given, and it is as follows:

"STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

OFFICE OF THE COMMISSIONERS
ON AFFAIRS OF THE NARRAGANSETT INDIANS. }

To the Council of the Narragansett Tribe of Indians, the Town Council of the town of Charlestown, and to all persons interested in the proceeds of the sale of the common tribal lands of the said Narragansett Tribe of Indians :

Notice is hereby given that the Commission appointed under the provisions of Chapter 800 of the Public Laws, entitled "An act to abolish the tribal relations of the Narragansett Tribe of Indians," according to the provisions of section 3 of said chapter, have appointed the Indian meeting-house, in the town of Charlestown, as the place, and Saturday, the 26th day of June, A. D. 1880, at 10 o'clock in the forenoon, as the time for hearing all persons claiming to have an interest in the said proceeds of the said lands sold to the State of Rhode Island, and that all of the said persons so interested should appear then and there and present their proofs and be heard thereon.

Signed,

DWIGHT R. ADAMS,
GEORGE CARMICHAEL, JR.,
WM. P. SHEFFIELD, JR.

Commissioners."

Section 3d of the act under which we are here to-day is as follows:

"SECTION 3. Said Commissioners shall have full power and authority to hear and determine all questions which may arise in reference to said lands, rights and claims, quit claimed to the State as provided in section 2 of this act, and to all rights titles, interests and claims, of every kind and nature, and on the part of all persons whomsoever, in, to or concerning the same; and shall also have full power and authority to ascertain and determine what persons, members of the Narragansett Tribe of Indians, are entitled to receive portions of said purchase money to be paid by the State, and to equitably apportion said purchase money amongst those so entitled to the same; they first appointing a time and place for hearing all persons interested therein, and giving at least thirty days' previous notice of the time and place by them appointed to the Council of said tribe, to the Town Council of the town of Charlestown, and by publishing notice thereof a like time previous thereto in at least two newspapers published in the County of Washington, and two newspapers published in the city of Providence, and one newspaper published in the city of Newport, and by posting notice thereof for a like time previous thereto upon the door or other conspicuous part of the meeting-house of said tribe in the town of Charlestown; and at the time and place so appointed and notified by them, said Commissioners shall hear all persons interested who shall appear and desire to be heard; and may adjourn said hearing from time to time, and to such place or places as they may deem expedient; and may issue summons to witnesses, and compel witnesses to appear before them and testify; and may severally administer oaths; and shall have full power and authority to do and perform all acts and things requisite for the ample performance of their duties under the provisions of this act."

We are here to-day for the tribe to prove heirship to their claim for this five thousand dollars, wampum, which is to be divided equitably, as the committee shall see fit. Mr. Carmichael will say a word now in relation to this matter.

MR. CARMICHAEL.—I don't know, Mr. Chairman, as I have much of anything to add to what has been said. The notices required by law to be served upon the Town Council of the town of Charlestown were served, and notices were posted up on the doors of this meeting-house, and at other places throughout the town, in compliance with the provision of the law. There are a large number present here to-day who claim membership in the Narragansett Tribe, many of whom, I presume, have been absent from the reservation, and have refrained from a participation in affairs for many years, and, I presume, that the situation may be imperfectly understood by them, and, perhaps, others. The explanation that you have already given, may, perhaps, be ample to explain just what the Commissioners are trying to do; but a few words more, and a brief statement of the negotiations which have led to this meeting, may, perhaps, lead to a more correct understanding on the part of many, and facilitate the work of the Commission.

At frequent intervals, for many years, measures have been discussed looking to the abolition of your tribal authority, and many methods have been suggested as to the disposition of the tribal property. In January, 1879, an act was before the Legislature, which received favorable consideration, having in view the sale of the lands, and putting the proceeds into a fund for the support of the Indian poor. But remonstrances were made by the Indian Council, and others, against the adoption of the act, and the Legislature were asked to appoint a committee to examine into the needs of the tribe, and the legislature complied. That committee met your people on several occasions, and they had an earnest desire to ascertain and recommend that course only which would best promote your interest. They listened patiently to what you had to say; they investigated the management of your tribal estate, and found that the income from all sources amounted only to some fifty dollars per year, which was required to defray the expenses of the Council. They found that your school had been a practical failure for years, that no adequate measures were adopted for support of the poor, and that everything was about as bad as it could be, and the property constantly depreciating as a whole. That committee had several conferences with the Indian Council, and

sought to impress them with the necessity for a change in your relations with your neighbors and the State; that it would be for the better, as matters couldn't be much worse. As a matter of equity the committee proposed to purchase the property, and, finally, \$5,000 was agreed upon as the sum which would be given. Subsequently, there was an act passed abolishing the tribe, conferring the rights of citizenship upon you, and appointing this Commission to complete the purchase and divide the proceeds. At your annual meeting in March, for the election of a tribal council, this act was read to you. The old Council was re-elected, who, afterwards, met the Commissioners in Providence, and gave a deed to the State of all the tribal lands. No individual lands were sold. I desire to impress that upon the members of the tribe. Nothing but the common tribal lands were sold. Whoever owned lands separate, or inherited from their ancestors, hold them now. Every precaution has been taken by your Council and this Commission to take care of your rights. You are now citizens of the State and of the towns where you reside, entitled to all the privileges and subject to all the liabilities connected therewith.

We have met to-day to ascertain the names of persons belonging to the tribe, in order to know who are entitled to a share of the purchase money, which is to be divided equally between you. In order to facilitate this work, a committee of the Indian Council was appointed to make a list of names of all persons living upon or near the reservation who were members of the tribe, and, subsequently, their authority was extended. These lists will be read. If any objection exists to any name, it must be stated. After the names have been read, there will be an opportunity given for anybody whose name is omitted to register the same. When that is completed, we will listen to objections that may exist to any names upon the lists, and the reasons why any others should be added thereto. I suppose, the first thing in order will be the reading of the list which has been prepared; and if anyone knows a reason why any name should be taken off, we will note the objection, and at some future time the objection may be heard. I propose to the Secretary to read the list.

MR. ADAMS.—This list was prepared by a committee of the Indian Council, composed of Benjamin Thomas and Gideon Ammons; correctly prepared, I think.

MR. CARMICHAEL.—It might be wise to repeat that this committee were only authorized to make a list of persons living upon or near the reservation. There has been fault found with it, but that was the limit of their authority.

MR. CONE.—(A member of the tribe.) Has anyone a right to object to anyone that, in their opinion, is not a member of the tribe?

MR. SHEFFIELD.—Certainly. The names are as follows:

NAME.	AGE.
Benjamin Thomas	58
Joshua H. Noka, (Objection by Mr. Cone)	62
Brister Michael	49
Daniel Sekater, (Objection)	37
Gideon L. Ammons, (Objection)	68
Daniel Primos, (Objection by Malbro Gardner)	71
Elizabeth Primos	44
Ruth Crandall	99
Nancy Crandall	32
Sarah Ann Crandall	11
Oliver Crandall	6
Katy G. Crandall	3

MR. PEABODY.—I don't think we are getting anywhere from this list. These Indians, as I understand it, are citizens of the State of Rhode Island. The names that are there read are the names of not only the parents, but the children. Now, I don't suppose that this committee is going any further than the parents. If a member of the tribe dies and leaves children, those children represent the father. It only counts one. If a member of the tribe dies, leaving several children, each of those children represents one, and only one. That is the way I understand it. Now, I don't see any use in reading all these names, or identifying the names by stating whether they are the children. If they only represent one person, we should go no farther than that person. A man can't inherit in this tribe for himself and for his children, any more than under the law that applies to white people. That is the way I understand it.

MR. CARMICHAEL.—In brief, the Commission propose to ascertain who are members of the Narragansett tribe now living.

MR. PEABODY.—I understand that all persons not objected to on this list will be entitled to a portion of this money.

MR. ADAMS.—That is the way we understand it; everybody, old or young.

MR. CARMICHAEL.—That is my understanding of our duties; that every person that we find alive to-day, who is a member of the Narragansett Tribe, will be entitled to a portion of this money.

MR. PEABODY.—How are you going to pay it to them?

MR. ADAMS.—We have a little bill, passed at the May Session, which says, that money due minors shall be deposited in the Trust Company until they become of age, and then they go and receive it.

MR. SHEFFIELD.—(Reading.)

NAME.	AGE.
Joseph Brant	8
Henry Champlin	65
Abbie F. Johnson	33
Susan D. Johnson	13
Charles Z. Johnson	10

MR. PEABODY.—I think this money can't be divided in that way, according to a law of the State of Rhode Island.

MR. CARMICHEL.—This law points out certain duties of the Commission, and repeals all other acts inconsistent.

MR. PEABODY.—(Reads the act determining the duties of the Commission.) That doesn't say that every member of the Narragansett Tribe of Indians shall have a portion of this money. If it had meant that, it would have said so. It says they are to ascertain and determine what persons in the tribe shall be entitled to this money.

MR. ADAMS.—I think the Commission are unanimous in the course they are pursuing.

MR. CARMICHAEL.—The objection would more properly come in by-and-by.

MR. PEABODY.—Well, I object to all minors where their parents are alive, and I would like to know by what law of the State of Rhode Island money is to be divided in any other way than by the statute of descent.

MR. CARMICHAEL.—I am speaking for myself, with the past before me in the investigation of this matter and the framing of the law, that it was one object to have a law that would accomplish this very thing, and pay everybody that we found members of the Narragansett Tribe an equal part. The law may not express that, but I think it does; and, unless we are prevented from doing so, we will go on with the list as we started it, and listen to objections hereafter.

MR. PEABODY.—All right. But understand that the objection is made now, and in order to ascertain that fact there must be a hearing.

MR. SHEFFIELD.—Upon the names that there are any objections to

we will have a hearing hereafter. I have made a note that Mr. Peabody objects to all minors whose parents are alive. (Continues reading.)

NAME.	AGE.
Harris W. Johnson.....	8 years.
Herbert Z. Johnson.....	7 "
Mary Z. Johnson.....	4 "
Hannah Wilcox.....	65 "
Francis N. Perry.....	55 "
Lyman F. Perry.....	25 "
John H. Perry.....	19 "
Jean Perry.....	16 "
Elizabeth Perry.....	22 "
William L. Perry.....	7 "
Mary F. Perry.....	1 "
Matilda Congdon.....	73 "
Samuel Congdon.....	43 "
Mary A. Congdon.....	25 "
William H. Congdon.....	7 "
Victor E. Congdon.	5 "
Hettie L. Congdon.....	2 "
Osceola Congdon	4 mos.
Luke Hopkins, (Objection).....	63 years.
Dudley Hopkins, (Objection).....	58 "
Martha A. Freeman	49 "
Nathaniel Hopkins, (Objection).....	65 "
Annie M. Hopkins, (Objection).....	19 "
Amy Hopkins, (Objection).....	15 "
Mary C. Hopkins, (Objection).....	13 "
Sarah T. Hopkins, (Objection).....	10 "
Susan F. Hopkins, (Objection)	8 "
Adelaide Hopkins, (Objection)....	3 "
Nellie M. Hopkins, (Objection).....	11 mos.
Joseph Ammons.....	70 years.
Candis A. Ammons.....	31 "
Fidelia Green, (Objection).....	34 "
William Green, (Objection).....	17 "
Henry H. Green, (Objection).....	9 "
Leanora H. Green, (Objection).....	7 "
Alice M. Green, (Objection).....	5 "

Augustus F. Green, (Objection).....	3 years.
Charles F. Green, (Objection)	8 mos.
Hannah White.....	55 years.
Joseph Bent, (Objection)....	49 "
Daniel Sekater, Jr., (Objection)	18 "
Mary A. Sekater, (Objection)	16 "
James H. Noka, (Objection).....	29 "
Nancy T. Noka, (Objection).....	28 "
John M. H. Noka, (Objection).....	24 "
Joshua H. Noka, Jr., (Objection).....	20 "
Alfred N. Noka, (Objection)	18 "
Mary L. Noka, (Objection).....	15 "
Eva T. Noka, (Objection).....	.5 mos.
Mary A. Michel.....	47 years.
Walter R. Michel.....	24 "
Albert B. Michel.....	20 "
Mary C. Michel.....	18 "
Edwin E. Michel.....	15 "
Sarah I. Michel	8 "
Hazard E. Michel	4 "
Ella I. Gardner, (Objection)	18 "
E. I. Gardner's child, (Objection).....	3 mos.
Alex. K. Gardner, (Objection).....	37 years.
Rhuahamer Malbone, (Objection) ...	108 "
Charles H. Holmes, (Objection).....	17 "
Thomas Rogers.....	76 "
Daniel Moody.....	76 "
Mary A. Moody.....	53 "
Eliza Moody.....	29 "
Louisa Moody.....	18 "
Jane Moody.....	22 "
Elizabeth Moody.....	19 "
Nane Moody.....	13 "
John Moody.....	5 "
Sarah Champlin	75 "
Elizabeth R. Helm	32 "
George H. Helm.....	5 "
Esther Helm.....	3 "
David A. Helm	1 "

That is all the names that have been handed to the Commission,

and any other persons claiming to be members of the Narragansett Tribe will please hand in their names to the Commission now.

The following names were then registered:

Lucinda Gardner, age 71; lives at Stonington; never lived on the reservation. (Objection.)

Malbro Gardner, age 42; lives at Stonington; never lived on the reservation. (Objection.)

Mary A. Carpenter, age 48; born on the reservation; lives in Providence; attended last March meeting of the tribe.

Peter Noka, age 72; lives at Westerly; been away from the reservation some fifteen years.

Harriet Carpenter, age 37; lives in Connecticut; was here about six weeks ago; has ten children. The children are as follows: Asa, age 18; Elizabeth, 17; James Stanton, 15; Dora, 14; Harry Genet, 12; Mary, 10; Eliza, 7; Willie, 6; Winfield Scott, 4; Delfoili, 21. (All objected to.)

George C. Henry, age 32; lives in Westerly; at the reservation occasionally; has three children: Mary E. Henry, 9; George T., 6 mos.; Charles H., 4 years.

Samuel Thomas; lives at Westerly; age 37; been absent from the reservation about six months; comes here often; has three children: Gertie, 6; Bell, 7; Courtland, 8.

Betsey Haskins, age 75; lives in Providence; has lived in Providence thirty-eight years; thirty years since she was at the reservation; no children.

Sarah A. Robinson, age 60 years; lives in Kingston; has two children: Elizabeth, 26; William F., 30; both live in Kingston.

Prince Robinson, age 62; lives at Kingston; born in Kingston, and always lived there; at the reservation occasionally; has taken part with the tribe; took part with them three or four years ago; husband of Sarah Robinson.

George G. Ammons, age 24; lives at Westerly; lived on the reservation about two years ago; wife's name is Mary E. Ammons, aged 23; been on the reservation about the same as her husband; have one child, Clarence G., 3 years of age. George G. has voted here every year. (Objection to Mary E.)

Amy Jackson, age 63; lives in Providence; has lived in Providence as much as forty years; hasn't been on the reservation for six or seven years; was born on the reservation. Her grandmother lived at the same place where Tom Hazard lived. (Objection.)

Frank Hazard, age 30; lives at Ashaway, R. I.; has not been at the reservation much; came to the reservation when the war was ended, but never voted there or anywhere; father's name was George Hazard, a member of the tribe; mother was not a member of the tribe; no children. (Objection.)

O. S. Wilcox, age 31; lives in South Kingstown; been absent from the reservation a year; has attended elections for the last ten years; wife's name is Amy A. Wilcox, about 28 years of age; have four children: Ida, aged 8; Amy A., aged 7; Sarah, aged 4; Patience M., aged 11 months.

Henry H. Brown, age 29; lives in South Kingstown; never lived on the reservation, but has been there several times; has attended several of the annual meetings, the last time being six or seven years ago; wife's name is Sarah A. Brown, age 25; three children: Thaddeus, aged 7; Frederick V., aged 5; Theodore D., aged 3.

F. D. Thomas, age 34; lives in Providence; has one child, Annie, aged 5; wife don't belong to the tribe.

Mary Ann (Brooks) Jones, age 63; lives in Stonington; was here last July; comes most every year; husband not a member of the tribe; no children. (Objection.)

Albert Watson, age 65; lives in Stonington; has been at the reservation occasionally, but not lately; has been in the Council; wife don't belong to the tribe; no children belonging.

Lyman Lawrence, age 44; lives in Connecticut; no wife, and no children; hasn't been to the reservation for thirty years.

B. F. Thomas, age 30; lives in Providence; Benjamin Thomas' son; wife not a member of the tribe; four children: Lizzie, aged 9; Carrie, 7; Willie 4; Lorenzo, 2; was at the reservation three years ago, and comes there occasionally; never has been to the election of Council.

Perry G. Hazard, age 43; born in Charlestown; lives in Westerly; at the reservation every year, and sometimes five times a year; wife's name is Caroline (Holmes) Hazard, a member of the tribe, aged 33; have one child, William E., 8 years old; father and mother were members of the tribe.

Annie Wilson, age 28; born at the reservation; lives at Norwich; attends the August meeting; husband not an Indian; no children.

David Helm, age 78; born in Charlestown; lives in Charlestown; never lived on the reservation; no wife; has children, but don't know where they are.

Josephine Wheeler. age 39; born in Massachusetts; lives in North

Stonington; husband not a member of the tribe; mother's name was Priscilla, sister to Ben. Thomas' mother; has four children: Otis W., 8; Phebe Ann, 6; Sarah Priscilla, 4; Ella C., 2; Josephine was never at the reservation before. (Objection.)

Louisa Weeden, age 36; lives at Narragansett Pier; born in Connecticut; comes to the reservation every year; not married; two children: Bertha, 15; Alice, 10.

Betsey Olney, age 40; born in Connecticut; lives at Wakefield; visits the reservation occasionally, sometimes two or three times a year; husband not an Indian; three children: Frederick, 18; Cornell, 15; Howard, 12.

Maria Blunt, age 37; born in Connecticut; lives in Providence; visits the reservation every year; husband not an Indian. She claims to belong to the tribe; don't care anything about the money, but wants her rights.

Amos Brewster, age 46; born in Connecticut; lives in Providence; visits the reservation occasionally; was there three years ago; has not participated in elections; wife not an Indian; no children.

Charles Antony, age 50; born in Worcester County, Mass.; lives in Boston; was at the reservation about five years ago, and hasn't been since; has participated for twenty years, and owns land at the reservation; not married; his mother was Charlotte Daniels, who married an Antony.

Annie F. Brown, age 28; born in Boston; lives in Worcester, Mass.; never at the reservation before; her mother was an Indian, but her father was not; mother was sister to Charles Antony; not married.

Andrew J. Brown, age 25; born in Boston; lives in Worcester, Mass.; never was at the reservation before; mother was an Indian, but father not.

Johannah F. Sekater, age 33; born in Charlestown, lives in Wakefield; three years since she was at the reservation; visits it occasionally; married an Indian; six children, Mary E., 13; Grace E., 11; Alice S., 9; Clarence E., 6, Ann E., 4; Sarah E., 2.

William R. Sekater, age 33; born in Charlestown; lives in Wakefield; was at the reservation about three years ago; visits it occasionally; is the husband of Johannah F. (Objection.)

Mary E. Sullivan, age 24; born in Charlestown; lives in Providence; was at the reservation year before last; comes quite often; husband not an Indian; no children; Ben. Thomas' daughter.

Benjamin G. Noka, age 35; born in South Kingstown; lives in Bos-

ton; was at the reservation last spring; visits it occasionally, and votes there sometimes; never was married. (Objection.)

John E. Michel, age 21; born in Richmond; lives in Richmond; was here last town meeting day; married an Indian; wife's name Ada F. Michel; she was Joshua Noka's daughter; have no children. (Objection to Ada F. only.)

Sarah A. Noyes, age 29; born in Charlestown; lives in Westerly; was at the reservation last August; husband not an Indian; she has been at the reservation quite often; two children: John W., 10; Charles F., 4.

Georgianna Nichols, age 32; born in Thompson, Conn; lives in Providence; never was at the reservation before; married Frank E. Nichols, an Indian; four children: Georgianna, 6; Mabel, 4; Charles, 2; Grace, 5 months.

Frank E. Nichols, age 29; born in Providence; lives in Providence; was at the reservation last March; attends nearly every town meeting.

Nancy Ann Fairweather, age 52; born in Charlestown; lives in Kingston; owns property at the reservation; was here last week, and has been here most every year; husband dead; he was not an Indian; two children: David, 22; William, 17. (Objection.)

Hannah Nichols, age 67; lives in Providence; sister to Ben. Thomas; has been married; six children: Sarah Hazard, 46; Olive Nichols, 27; George, 33; the other three answering for themselves. Sarah Hazard has two children: Howard B., 20; Minnie B., 13.

Mary Ann Hopkins, age 54; born in Charlestown; lives in Newport; has been at the reservation a good many times; was here last spring; not married. (Objection.)

David Holmes, Luther Holmes' son; age 37; born and brought up in Charlestown; lives at Westerly; has been at the reservation three or four times this summer, wife not an Indian; one child: Benjamin F. Holmes, 19. (Objection.)

Charity Johnson, age 44; born in Exeter, R. I.; lives in Richmond; was at the reservation two years ago; was brought up in Richmond, but not on the reservation; owns land here; mother was named Priscilla Niles, half sister to Mary Rodman; husband not an Indian; six children: Francis, 27; Abbie, 24; Alvan, 20; Thomas, 17; Rosa, 14; Eliza, 7 in July.

Lydia Harris, (Ben Thomas' daughter,) age 26; born on the reservation; lives in Providence; has always attended the meetings at the reservation; was here about two years ago; husband not an Indian; no children.

Hannah S. Gardner, age 39; born in Charlestown; lives in Westerly; was at the reservation about two weeks ago, and lives there occasionally; sister to Daniel Sekater; husband not an Indian; one child: Avaldo C., 18.

Sarah Weeden, age 18; born in North Kingstown; lives in North Kingstown; was at the reservation about a month ago, and has been there lots of times; has attended August meetings; father was Charles Weeden, and mother was Eunice Weeden; not married.

Clarissa Ann Lawrence, age 36; born in Connecticut; lives in Connecticut; has not been to the reservation for ten years; husband not a member of the tribe; no children.

Eliza L. Hilton, (Ben Thomas' daughter,) age 32; born at Carolina Mills; lives in Providence; husband not living; one child: Clarence, aged 12.

Hannah M. Hazard, age 28; born at Charlestown; lives in Providence; attended the March meeting, and has been to the reservation occasionally; husband not an Indian; two children: Harry N., 5; Grace E., 1.

Anna S. Paine, age 34; born in Charlestown; lives in Westerly; has not been to the reservation very often, but was there three years ago; not married; Prince Paine was her father, and her mother was Nannie Stanton. (Objection.)

Sarah Cone, (Ed. S. Cone's daughter,) age 22; born in Providence; lives in Providence; was at the reservation two years ago, and has been there occasionally; not married.

Mary Cone, age 25; born in Providence; lives in Providence; has been to the reservation every year or two; never was married; one child: Francis, 6.

Mary Ann Gardner, age 70; born in Kingston; lives in Kingston; has not been to the reservation in fifteen years; mother was an Indian; husband not an Indian; two children: Daniel, about 40; George, about 30.

Ellen L. Jackson, age 18; born in Stonington; lives at Carolina Mills; lived at the reservation about six years ago, and has been there since; mother was sister to Gideon Ammons; not married.

Sarah E. Brown, age 38; born in Providence; lives in Providence; here every year at the March meeting; husband not an Indian; one child: Howard, 11.

Hannah Fairweather, age 47; born in Charlestown; lives in South Kingstown; was at the last August meeting, and comes most every

year; husband not an Indian; five children: Charles H., 27; James W., 25; William R., 21; Sumner, 18; George Edward, 16.

Mertie P. Brown, age 26; born in Charlestown; lives at Richmond; always attended the August meetings; married an Indian; one child: Eliot E., 5 months. (Objection.)

Addie Francis Michel, (Brister Michel's son's wife,) age 21; born in Charlestown; lives at Hope Valley; was at the reservation about three weeks ago, and generally attends the August meetings; husband an Indian; no children. (Objection.)

Harriet J. Harry, age 42; born at Norwich, Ct.; lives at South Stonington, Ct.; was at the August meeting three years ago; has been to the reservation five times; married an Indian; five children: Eliza Ann, 17; Eliza Jane, 12; Minnie Green, 7; Ida May, 8; Ruth E., 4; husband's name is Augustus Harry, Daniel Harry's son. (Objection to her only.)

Ida Weeden, age 26; born in South Kingstown; lives in South Kingstown; was at the reservation last August, and attends right along; comes to August meeting mostly; not married; mother is dead; father not an Indian; one child: George E., born 12th May, 1880.

Eunice Gardner, daughter of Charlotte Potter; married an Indian; husband's name was Primos Wheeler; mother had land on Little Rest Hill. (Objection.)

Gideon Noka, age 39; born in South Kingstown; lives in South Kingstown; was at March meeting in 1879; never was at the reservation before that; wife not an Indian. (Objection.)

Amy Hazard; age 78; born in Charlestown; lives in Westerly; was at the reservation about four years ago; has been married to a member of the tribe; three children, who answer for themselves.

Sarah Watson, age 63; born at Point Judith; lives at Westerly; married Cyrus Watson, who was not an Indian; is sister to Gideon Ammons.

Salona Robinson, age 41; born in Connecticut; lives at Clinton, Ct.; used to attend the meetings; husband not an Indian, but a colored man in Kingston; one child: Electra, 12.

Augusta A. Michel, age 30; born in Richmond; lives in Richmond; never attended August meeting; not married; no children.

Mary Fletcher, age 40; born in New Shoreham; lives in Charlestown; not married.

Hannah Brown, age 69; born in Charlestown; lives just out of Carolina Mills; has been to the reservation every year; husband not living; ten children, who answer for themselves, all of age.

Emily L. Hull, age 33; don't know where she was born; lives at Charlestown; married Daniel Hull, an Indian. (Objection.)

Daniel Hull, age 61; was born at South Kingstown; lives at Charlestown; comes by the Brown family on his mother's side, and by the Lewis family on his father's side. (Objection.)

Gideon Michel, age 33; born in Richmond; lives at Kenyon's Mills; was at the reservation some four or five years ago; not married.

Lydia Champlin, age 39; born at Charlestown, which is her home; not married.

George A. Champlin, age 17; born at Westerly; lives at Westerly; was at the reservation last September, and has been there right along; not married.

Mary R. Champlin, age 29; born at Griswold, Ct.; lives at Narragansett Pier; home is at Charlestown; married an Indian.

Francis Cooper, age 49; born at Norwich; lives at Norwich; was at the reservation about four years ago; husband is dead; two children: Ida, 20; Addie, 17.

Hannah F. Champlin, age 33; born at Charlestown; lives at Westerly; was at the reservation last fall, and comes to most every meeting; not married.

Mary Jane Helm, age 28; born at South Kingstown; lives at Narragansett Pier; was at the reservation two years ago; attends the August meetings; husband of Indian descent; Mary's maiden name was Noka.

Mary E. Peckham, age 49; born at Griswold; lives at Providence; was at the reservation four years ago; has been married; two children: Ruth, 11; Wealthy, 18.

Abbie J. Peckham, age 38; born at Stonington; lives in Norwich; was at the reservation seven or eight years ago; Betsey Ross was her aunt; no children.

Benjamin G. Gardner, age 53; born at South Kingstown; lives in Providence; was at the reservation five years ago; wife not an Indian.

John E. Brown, age 33; born at Providence; lives in Providence; was at the reservation in October, and has been most every year; married Hazard Champlin's daughter, an Indian; no children.

Isabella E. Brown, age 19; born at Westerly; lives in Providence; was at the reservation last October; no children.

Augustus Harry, (son of Daniel Harry,) age 51; born in Charlestown; lives in Mystic; attends August meeting every year; mother was a Robinson, and owned land northeast of the meeting-house; married. (Objection.)

James M. Hazard, age 54; born in Charlestown; lives in South Kingstown; has voted with the tribe within the last four years; has been married.

Angelina Rogers, age 69; born in Connecticut; goods are in the house where Benjamin Thomas lives; married Thomas Rogers; his name is on the list; father was a full-blooded Indian, and owned land at the reservation; the General Assembly set off a right of land for her. (Objection.)

Henry A. Ross, age 25; born at Stonington; lives in Providence.

Lizzie Congdon, (Angelina Rogers' daughter,) age 32; born at Norwich; lives at Westerly; husband not a member of the tribe. (Objection.)

Mary Sampson, age 35; born at Norwich; lives at Worcester; has lived at the reservation; mother's name was Angelina Rogers; married out of the tribe; no children. (Objection.)

Elizabeth Champlin, age 70; born in Kingstown; lives in Westerly; was at the August meeting two or three years ago, and has been at the reservation a good many times; married out of the tribe; children of age. (Objection.)

Lucy Hazard, age 35; born in Charlestown; lives in Westerly; was at the reservation about three years ago; not married.

Anna Babcock, age 37; born at Charlestown; lives at Hopkinton; was at the reservation last year; married out of the tribe; 7 children: D. A. Babcock, 18; Emma, 14; Charles, 12; Anna, 8; Minnie, 5; Cora Bell, 2; Francis, 6 weeks.

Elizabeth Sias, age 50; born at Charlestown; lives at Hope Valley; married twice, both times out of the tribe; two children: Nellie, 15; Ann, 9.

Mary Champlin, age 40; born at Providence; lives at Westerly; never lived at the reservation; was here a year ago in August; daughter of Peter Noka; married an Indian; no children.

Betsey Champlin, age 63; born in Westerly; lives in Westerly; was at the reservation about two years ago, and comes pretty often to August meeting; never was married.

Mary Jane Cone, (Ed. Cone's sister,) age 44; born at Charlestown; lives at Providence; married out of the tribe; one child, of age. (Objection by G. L. Ammons.)

Sarah Champlin, age 37; born in Charlestown; lives in Kingstown; has not been to the reservation in six years, but has frequently been to August meeting; married in the tribe; six children: Henry H., 15;

Abraham L., 13; Charles A., 11; Freddie D., 9; James H., 5; Gracie, 1. (Objection to her, but not to the children.)

Abraham R. Champlin, (husband of Sarah,) age 44; born at Charlestown; lives at South Kingstown; has brothers and sisters absent that couldn't come: Benjamin, Priscilla and Susan.

Edward Anderson, age 60; born at Hopkinton; lives at Norwich; was at the reservation 21 years ago; son of Candis Babcock; married James Hazard's daughter, an Indian.

Martha Creighton, age 56; born at Charlestown; lives in Providence; at the reservation occasionally; two children: James, 19; John, 22.

Betsey Bent, age 39; born in Charlestown; lives in Bristol; was at the reservation two years ago; not married. (Objection.)

Samuel R. Champlin, age 31; born in Charlestown; lives there when he is at home; not married.

Joseph Stanton, age 18; born in Charlestown; lives in Charlestown; not married. (Objection.)

Charles H. Holmes, age 17; born in Charlestown; lives in Charlestown; father's name is Luther Holmes. (Objection.)

Charles Clark, age 40; born in Charlestown; lives at Richmond; has not been to the reservation before for five years; married outside of the tribe; one child: John, 14.

William H. Rhodes, age 32; born at Charlestown; lives at Narragansett Pier; was at the reservation about three months ago; generally attends the meetings; married out of the tribe; one child: Arthur L., 9. (Objection.)

Artemus Harry, age 24; born in Warwick; lives in Warwick, never was at the reservation before; not married.

William H. Hazard, age 58; born in Charlestown; lives in Charlestown; has land there; married in the tribe; no children.

Sarah M. Hazard, (wife of William N.,) age 53.

George G. Sias, age 38; born at Point Judith; lives at Hope Valley; was at the August meetings last year and year before; married outside of the tribe; no children.

William Champlin, age 35; born in Charlestown; lives in Westerly; was at the last March meeting; generally attends; married in the tribe; no children. (Objection.)

Thomas F. Noka, (son of Samuel Noka,) age 19; born at Warwick; lives by the Rocky Hill school-house; never was at the reservation before; Joseph Noka is his uncle.

Henry F. Noka, age 23; born at Warwick; lives at Warwick; never was at the reservation before; son of Samuel Noka.

Lucius Peckham, age 64; born at Franklin, Ct.; lives at Norwich; married out of the tribe; Deacon Daniel Harry's daughter was my father's mother; he was Chief; one child: Ella, 12.

Samuel C. Helm, age 32; born at Wakefield; lives at Narragansett Pier; hasn't been to the reservation before for five years; married in the tribe; one child: Mary Francis, 5.

Sarah A. Brown, age 25; born at South Kingstown; lives at Rocky Brook; hasn't been to the reservation for two or three years; married Henry H. Brown, of Richmond; have three children. (The names of the children were given by him.)

John B. Gardner, age 28; born at Charlestown; lives at Charlestown; at the reservation every year; not married. (Objection.)

Lewis C. Brown, age 22; born at Richmond; lives at Carolina Mills; at the reservation often; married an Indian; one child: Elliot E., 5 months.

Charlotte Conway, age 53; born at Charlestown; lives in Westerly; at the reservation occasionally; has been married; children grown up; three children: Samuel, 12; Gideon, 14; Susan, 16.

John H. Noka, age 21; born in South Kingstown; lives at Westerly; married in the tribe; one child.

Lydia Noka, (wife of John H.,) age 25; born in Charlestown; attends the meetings; one child: baby, 2 months.

The following names were handed to the Secretary:

NAME.	AGE.
Edward S. Cone	
Mary E. Cone	
Ednah Cone	
Charles H. Cone	
Francis Cone	
Fred. Cone	
Mary R. Cone	
Fanny Cone	
Sarah C. Cone	
Annie M. Cone	
Mary Jane Cone	
James Cone	
John E. Brown and wife	
Martha Brown and two daughters	

Mary Jane Brown.....	
Mary Fanny Brown	
Caroline Brown.....	
Sarah Abbie Brown	
Fred. Brown.....	
Theodore Brown.....	
Thaddeus Brown.....	
Daniel Noka.....	
Christopher E. Noka	
Franklin Helm	
Samuel Helm.....	
Henry Brown.....	
Laura P. Brown	20
Ellen T. Brown.....	18
Catherine Brown.....	40
Winfield S. Brown.....	26
George A. Brown	24
Abbie F. Helm	33
Hannah Brown.....	59

Adjourned till Wednesday, July 14th, 1880, at 9 A. M., to meet at Samoset Hall in the village of Carolina.

SECOND MEETING.

The second hearing of the Commission was held on Wednesday, July 14th, 1880, at Samoset Hall, in the village of Carolina, in accordance with the adjournment. Nearly two hundred persons were present. The meeting lasted about five hours. Following is the report of the proceedings:

MR. ADAMS.—There seems to be quite a gathering here in reference to the matter which we are now considering, which shows conclusively that the interest is still kept up upon the subject for which we have met. Quite a large number were examined at the last meeting, and I see that many of them are here again to-day; and I see quite a number of new faces.

Now we propose to examine those who were not present the other day, but who are here this morning. All present who were not here at the last meeting, who desire to be examined, will please rise. (After counting.) There appear to be twenty-three. At a certain stage in the proceedings, which I will indicate to you, all who desire to be examined will meet the stenographer and myself in a room down stairs, where your names will be registered.

The first thing this morning will be to hear some remarks from the President of the Indian Council, in reference to the matter for which we are assembled—general remarks, perhaps explaining away some stories, &c.

BENJ. THOMAS.—I guess there was some mistake about the President. Joshua intended to make some remarks, he being the Vice-President. I would rather listen than speak.

JOSHUA NOKA.—Mr. President, and the Honorable Committee: I wish to make a few general remarks in regard to my identity, as I was objected to by Mr. Edward S. Cone, as not being a member of the Naragansett tribe. I wish to make a statement here, that my pedigree can

be traced in connection with the Narragansett tribe, undisputably, for years in the past. I shall propose to put in some evidence, when it is called for, in order to trace my pedigree back to my grandfather, and further if you wish to go. My grandfather married a woman that didn't belong to the tribe, and my father did the same; but they both stood as members of the tribe, undisputably, before men that probably had as wise heads on their shoulders as those here to-day,—and, especially, Edward S. Cone, as he has made the first accusation that ever has been brought against the family. My grandfather in his time stood second in the Council for years and years. He was a member, went to the Revolutionary war, and came back and lived and died at home. Him I never saw. I just remember my father. He was not a politician; he was a cooper by trade, and a farmer, and, therefore, attended to that business, and didn't stand as much as a politician as many since. But he occupied a position in the Indian Council.

Now we come down to another period, in which my older brother lived. He was President of the Council of the Narragansett Tribe more than any other man that I have known, or have heard of during the time that I have lived. He signed leases, had all the privileges and appurtenances that any man ever occupied, and prosecuted cases of trespass in the Indian cedar swamp. He has attended to all those cases, has received and given permits to go into the swamp, and has been in and got his part as far as he could; and he died without an action ever being brought against him in regard to those particulars. Nobody has ever presumed to bring the accusation against him that he didn't stand as a member of the Narragansett Tribe.

Mr. Edward S. Cone has merely set me up as a target. I don't care how much prejudice there is against me. I want that perfectly understood. He didn't remember that when he took Joshua Noka out of the ranks he was throwing at a good many other individuals who had to follow the same suit that he did. I have been a member of this Council, off and on, for, probably, two-thirds of the time or more, for somewhere about twenty-eight years. Before that I stood as a voter in the tribe for over thirty years. I have had all the privileges and appurtenances that belonged to a member of this tribe, without any dispute whatever. I have been the President of this Narragansett tribe for some two or three terms, and there has never been any dispute until that gentleman suggested it. I have gone on and transacted business to the best of my knowledge; have been to the Legislature many a time; have attended to the rights of this tribe

to the best of my knowledge, and have tried to do the best I could.

In the district where I live and pay taxes they threw my children out of the school, and said that I must send my children to Charlestown; and I had to send them there, if I sent them at all. They put them out twice from the other school-house. In regard to that I called the white Council of the town of Charlestown together, and investigated that case, and had to take it clear to the Legislature; and I paid my own fares and everything to Newport, and also went to Providence. And they said that I, being a member of the tribe, should send to that school, and exempted me from one quarter of the taxes; and, exempting me, they exempted every single member in the tribe. And yet his honor says that I stand objected to as a member of the Narragansett Tribe. Now, I think he has hitched on to as big a load as he ever pulled, and I hope he will not catch himself in his own trap. When an attempt is made to overthrow an individual who has stood with all the rights and privileges belonging to this tribe, do you suppose I would sit still and not raise my hand against it? I have gone forward according to the best of my sense, and signed the deed of the land in good faith. I was elected to the Council last year and this year, and without any objection until Mr. Cone raised it. Now when he comes up here and makes his objection, at this late day, let him bring the proof.

I am not going to occupy much time, only I want to bring up those facts, for it has been around as if I had committed some depredation, which should turn me out. To-day I stand here on my own basis. Nobody has given me anything, and I ask them to give me nothing. I can produce my living for myself, and I expect to do it. I want you to understand that I stand here as an individual, and speak for myself.

Now, ladies and gentlemen, I am ready to stand here and be tried according to the law of right and justice, and according to the pedigree and the common usages of this tribe; and that is all I expect to be tried by; therefore, I won't make any more general remarks at the present time. It looks rather curious that you should turn out Joshua Noka, and leave his relations behind. I expect to put on gentlemen who can trace back their pedigree, and leave Joshua Noka to defend himself the best he can.

MR. PEABODY.—Now, perhaps, I ought to say a word in defense of Mr. Cone. I represent him to-day, and I represent a number of the tribe of Narragansett Indians.

MR. ADAMS.—Do you represent Mr. Cone as a clear case?

MR. PEABODY.—Yes, sir. I have the documents here to prove it, signed by Samuel Noka. There is a grave misapprehension here as to the motives actuating Mr. Cone in this matter. I never saw him until he came to employ me. This is a grave subject with which we have to deal. It is a matter which will go down into history. There has never been a commission appointed in this State which has had so grave a matter to deal with as this Commission, and we should be careful what we do.

In the first place, Mr. Cone came to me with this representation, and the conduct of the Council went to show that there was some ground for the apprehension. As I understand it, there are two parties here—the party that lives on the reservation, and the party that lives off of the reservation. Mr. Cone had the idea, perhaps wrong, that the few who lived upon the reservation had the idea that they could come in and scoop in the whole of this money. I have nothing against Mr. Noka, and I think he knows that I haven't. I don't appear against any man personally. I am interested for this tribe and the members of the tribe, and I think the State of Rhode Island can afford to be generous with the tribe of Narragansett Indians, in view of the past and what they have done for the whites. Once the Narragansett Indians were powerful and strong in this State, and they could dictate to the whites; now the whites have become strong, and they can dictate to the Indians. I have not come here in Mr. Cone's interest alone; I have documents from other members of this tribe who live off of the reservation.

Now, the question is, who are entitled to this five thousand dollars? It seems to me that an equity belongs to those who live off of the land,—men and women who haven't been content, as I see by the report of the committee, to burrow on this reservation, and have gone out and made men and women of themselves. They haven't called for any of the proceeds of this common land, or any of the land offered to persons in their own right on the reservation; and they think that they certainly have as good a claim to a part of the money as the men and women who have lived upon the land and had the profits of it, while they have been off earning their bread and butter for themselves. That is the class that I represent, and that Mr. Cone represents. I don't want the members of the tribe to understand that I or Mr. Cone are here against you. Of course, here is so much money to be divided. If everybody that lays claim is to have a portion of the money, there

will not be much of it for you; but if it is made so that those who belong to the tribe can have their rights, there may be something to share among you. That is the way the State should aim in this matter. Here are people who are going to be deprived of their means of living. They have got to leave their homes, and earn their living upon the same ground as other citizens. Now, to turn these men out of their homes empty-handed upon the world, is unjust on the part of the State, to say the least. I don't consider that this money that the State is paying for the land is being offered in the light of a compensation for the land. They don't want the land. They want to bridge them over the time that they are deprived of their lands here, until they can get some means of their own.

I spoke the other day unadvisedly with reference to what the Commission would do. I say, the object of this commission should be to put as much of this money into the hands of the heads of the families as is possible, so that they may have it with which to bring up the children. The children don't need it; the parents need it. The fathers and mothers of these families need this money to help them bring up their children, and take care of them until they can get other means with which to take care of themselves. The children when they grow up will be able to take care of themselves. Mr. Chairman, it is no easy thing to take a man that never has been a citizen and suddenly emancipate him. We have seen that in the South, and we know what has been the result. A man can't suddenly from nothing become something. He is like a young child. He has got to be taught to walk, and assisted in walking, before we can expect him to stand upright like a man. And, I say, the Commission should adopt some rule which would do the most good, and not put the money in the Rhode Island Hospital Trust Co. until the children grow up.

I have given this matter considerable thought since I was here before. I say, that there can be no rule but what there are exceptions to; no rule but what will work a hardship to some person; but you want to get a rule which will work the least hardship to any person. Now, I have given this question considerable thought, even when I haven't been attending to it exclusively. You remember I said something about the laws of descent. I don't think that that would be just. When I make a mistake, I am always willing to correct it. That was my idea the other day, but, upon reflection, I don't think that is the way that this money should be divided. I don't think it can be

divided that way. I don't know where we should start from. But we can draw a line at a certain age, and say that every man and woman, a member of this tribe, say 21 years of age, is entitled to a share of this money,—or 25 years of age. The whole matter is in the discretion of this committee, to divide this up among the members of this tribe upon as equitable principle as possible.

For the sake of the argument, we will establish 21 years of age. In regard to that I have talked with a number of the members of the tribe. The men that I have talked with about this have endorsed it, and think it would be right and proper to take a line somewhere. Then you get at the people who, if they are not heads of families, ought to be. The father and mother have an equal share. Every person 21 years of age has an equal share. If they have children, then the money that is paid to the father and mother represents those children. Now, suppose there are children without father and mother; then apply the same rule that you would to a white person,—give those children what their father and mother would have had if they were alive. If the mother is alive and the father dead, give the mother her portion and the children the portion of the father, or give her both the father's and the mother's portion. I think that would be just and right. If the mother is left alone to bring up the children, I think she should have the portion of herself and her husband. Is there any more equitable way in which this can be divided? I am not able to conceive of it. You have got to have some plan of representation, and that is the best that I have been able to adduce. I have talked with a number of the members of the tribe, and they have agreed with me that some way like that would be the best way of dividing up this money. I don't think it would be right for every child, no matter how young or how old, to have an equal share of this money. It would not do anybody any good in that way. A guardian would have to be appointed. Nobody would have any right to pay any money to a child under 21 years of age, and, therefore, a guardian must be appointed. But the object of this Commission is to take the tribe out of guardianship, and make them men, and throw them upon their own responsibilities. Some of you don't want to be citizens, but you will want to be. When you find that you can buy and sell your land just as anybody else can, and can hold up your heads as high as anybody, you will want to be citizens. Of course, the members of the tribe have had no experience in this matter, and, until they have had experience, I say they should be helped; and this

money should be used in such a way that it will help them as much as possible.

Now, as I said before, I think it is my duty to say something in defense of Mr. Cone. There is one other thing, that I had forgotten, and that is this: You will remember that at the last meeting your Council presented a list of those who lived upon or near the reservation. That was exactly in the line of the suspicion of the members of this tribe that this money was going to be divided among the members that lived on the reservation, and that in that way certain families would get it all. I am glad to hear from Mr. Noka that he doesn't intend to be a party to that plan; that those who live upon the reservation should scoop in the whole of this money. But it certainly did look so. There was a list prepared by the Council. Now, what should Mr. Cone do. (Interrupted.)

MR. CARMICHAEL.—With the permission of the Chairman, I want to say a word in regard to that point. I wish to repeat, what I said in part down at the meeting-house, that so far from the Council doing any such thing as that, or meaning any such thing as that, it was just to the contrary. I speak that in justice to them, because I know their intentions for everything that was done. The first thing that the Commissioners desired to get was the names of those persons who lived on and near the reservation, and the next thing was to advertise a meeting so that the others might come in. The Commission couldn't tell where to go all over the State, and, perhaps, outside of the State, and they took that means to get the people to register their names. To facilitate the work of getting the names of those people who lived near by, they asked two members of the Council to make an enumeration of those people who lived on the reservation and around it. That may have given rise to this suspicion, which, certainly, is unfair to the Council and to all other persons connected with it, because the facts are right to the contrary. I know of no such feeling on the part of the Council, and never heard it suggested; and that is the way that they came to have anything to do with making the enumeration of the persons on the reservation.

MR. PEABODY.—As I said before, I am glad to hear what Mr. Carmichael says, and what Mr. Noka said.

MR. CARMICHAEL.—I simply speak of this to assure the members of the tribe that no such motive was at the bottom of this thing. The Commission desire to deal generously, as Mr. Peabody has suggested that the State ought to do. They intend to deal justly and

equitably. If they can find out what the right thing is, they will do it.

MR. PEABODY.—That is what I supposed, and I knew that that was the object of the committee; but these people haven't been citizens, and they are suspicious. I say this in justice to Mr. Cone. I know how it is when a story gets started. There is always some one who runs back and forth, and the story never loses anything by travelling. It is because of this false impression that has got about that it was talked to me by Mr. Cone and others that there was a conspiracy to throw out everybody except those on the reservation. I knew the Commission couldn't intend any such thing as that, but that explains Mr. Cone's position.

I say this in order to remove any feeling. You shouldn't have any feeling against Mr. Cone. You should come up here as members of one family. You are members of one family, just the same as when a man dies and his heirs come in to take what there is. This tribe is dead, by this law. You are members of the same family, and you are all interested that nobody should have any portion of this property except those who belong to the tribe. That is the interest of Mr. Cone. He don't want to block out anybody who belongs to the tribe, but he does want to keep out all who don't belong to it. After what has been said here, I think Mr. Noka understands Mr. Cone, and that Mr. Cone understands Mr. Noka. Now I have some papers to read.

(Mr. Peabody reads certificate of good standing from Charles Malory, of Stonington, with whom Mr. Cone formerly lived, dated November 5th, 1845; also, certificate signed by Samuel Noka, President, and Gideon Ammons, Vice-President of the Indian Council, that Edward S. Cone is a member of the Narragansett Tribe.)

Now they have got an idea that one side is working against the other side, and as soon as we get that idea out we are going to get along smoothly enough.

MR. ADAMS.—It is very queer that such an impression should get out. It has not been mentioned in any meeting of the committee at all, nor in any meeting of the Council with the Commission.

MR. PEABODY.—But you know that such stories when started never lose anything by travel.

I am also requested by Mr. William Henry Hazard to present this certificate.

(Reads certificate, dated Charlestown, December 8th, 1843, signed by the members of the Indian Council, stating that James Hazard,

the father of William Henry Hazard, is a member of the Narragansett Tribe, through his grandmother and mother. The certificate is signed by Samuel Noka, Henry Champlin, Benjamin Thomas, Benjamin Watson and John F. Cone.)

The way Mr. Hazard comes by this certificate is that he was a seaman, and was taken as a slave in South Carolina. When colored men came there they used to take them and hold them as slaves, and this certificate was sent for the purpose of releasing him from imprisonment.

I am also requested by Mrs. Stanton to read a certificate of marriage, to show that she is a member.

(Reads the certificate, dated Stonington, Ct., June 30th, 1880.)

I am also requested to produce to the committee this evidence:

(Reads certificate, dated Charlestown, 1840, signed by the Indian Council, showing that they set off land to Luke Holmes.)

There can't be any question about Mr. Cone being a member of the tribe, for he certainly has as good evidence as anybody. I don't think if his name was objected to that the Council would have given him a certificate. I don't know as there is anything else for me to say. If I have set this matter right, as I hoped to, I have accomplished my object in getting up. I know that certain of the tribe have misapprehended the intention of this committee, and that there has been a difference in feeling between those on the reservation and those off. That there is no ground for suspicion so far as the Commission is concerned, I know; and if I have thrown out anything that is of value to the Commission, I am glad of it. I think that something like that should be adopted, i. e., this money should be put into the hands of the people who can use it for the present needs. They want it now; they don't want it twenty-one years from now. They want it now, and it seems to me that that is the object of the State. The land isn't worth anything to the State. It is not the land that they wish to pay for, but they want to make some provision for the Indians; so that it will not be said that the people of the State of Rhode Island, who owe their existence as a people to this tribe of Indians, have blotted out this tribe without making any provision for their support. That is all I have to say. Mr. Cone has no feeling against anybody, and I don't think that anybody has against Mr. Cone, after this explanation. I appear here in the interest of the tribe. If there is anything else that I can do for anybody here, I will be glad to do it.

GIDEON AMMONS.—I will be as short as I can. All that has been

said here is not corn. Ladies and gentlemen, I desire to make a few remarks in regard to what has been said. I object to Mr. Cone's title, unless he can prove it. It has been a common practice with our tribe, whenever they could do better than living in Charlestown, for them to move out; and those that went could lease their lands for ten years and a day, and take the rents and go where they pleased. If they returned within ten years and a day, they could lease the land for another ten years and a day. They have come back once in a while, and told us what a big team they were driving and how much they were making; and bye-and-bye they would be sent to us as paupers, and we would have to carry them out. That has been the common usage of this tribe. Those who have lived off of the reservation have hardly ever returned unless there was something to come for. If there was a few cents, they would come for it. When they have exhausted us we haven't money enough to pay for the Council, much more to fight these cases in the Assembly, as we have done from time to time. Sometimes it would be hard work to get a dozen names on paper that we could send to the General Assembly. We would write it, and travel around. I don't know as it would make much difference to me. Though few, we have to stand at the head of the heap to keep it where it is. The State had offered considerable money to those that should come out, but they wanted to put the money into an Indian fund. When I come out citizen, I don't want to be Indian and citizen too. I told them "give us the money, and let us come out square-footed as citizens, and I am ready to go." But to have an Indian fund to support poor Indians, and say they are citizens, and to have a fund to support Indian children and citizens, I couldn't see through it. Now this Commission has concluded to let the tribe have the money. It don't make any odds how long any member has been gone from the tribe; if he has got any individual land in the tribe to-day, it is his, but the public land is sold.

Now, Mr. Cone, as you challenge so many from being members of the tribe; they call you a gentleman, but if you want me to explain what you are, I am ready to.

MR. ADAMS.—It hardly facilitates matters to have so many personalities.

MR. AMMONS.—Well, I don't consider that he is a member of the tribe.

MR. CONE.—Gentlemen, I want to be where I can be seen and heard, although there is not much to say.

MR. ADAMS.—We think, Mr. Cone, that you have been properly represented by counsel. You are safe.

MR. CONE.—All I desire is justice.

MR. SHEFFIELD.—I wish to make a few remarks in regard to the methods of proceeding to determine who are members of the tribe. There are certain questions which will arise here, and we will hear each member as fully as we can on each name that comes up. There are three or four leading facts that we wish to determine in each case; and I might as well state them in the commencement, as it will help us. The first thing is the pedigree of each individual,—as to whether his father or mother was a member of the tribe, and whether his mother was a negro woman under the act which was passed by the General Assembly excluding the descendants of negro women. Then we shall proceed to determine whether that individual has been in the town of Charlestown or not, in order to ascertain whether he has exercised his right as a member of the tribe. Then we will hear the person who objects to his name being put on to the list. We will first hear the person who claims to be a member, and then the person who objects to him.

The first name which I have on the list is the name of Edward S. Cone. As he appears by counsel, and has put in objections to other members, we shall proceed to hear him state his case as being a member of the tribe.

EDWARD S. CONE, SWORN.

- Q. (By Mr. Sheffield.)—Mr. Cone, your age?
A. My age is 58 the third day of last March.
Q. Where do you reside?
A. Wakefield, R. I., at the present time.
Q. Was your father a member of the Narragansett Tribe of Indians?
A. Well, I am under the impression that he was.
Q. Did he exercise the right of voting for members of the Council, and act for members of the tribe?
A. As far as my knowledge is concerned, he did so. My father's name was John F. Cone.
Q. Is that your father's name that appears on those certificates?
A. Yes, sir.
Q. What was your mother's name?
A. My mother's name was Sarah Jones.

Q. Was she a member of the tribe?

A. No, sir; not of this tribe.

Q. Was she of African descent?

A. I am not prepared to say. She was cross-blooded, just the same as I am. I suppose they crossed on each side.

Q. Have you ever acted as a member of the tribe in voting for members of the Council, and been a member of the Council?

A. I have been a member of the Council for two terms, with Mr. Thomas.

Q. Were you present, and did you vote at the last March election?

A. I voted for one man only. I was charged with voting for Brother Joshua, but it was a mistake. I didn't vote until the last man was put on, and I voted for him—Mr. Ammons.

Q. Have you ever sold your individual lands?

A. No, sir. I never sold a foot of land in the tribe in my life. I had a little trouble at one time, and had some trouble before I got my grant. The Council thought they were my guardians, but I didn't think so, and I pursued it until I got it. That was some time in '48 or '50—somewhere along there.

Q. How long since you have resided in the town of Charlestown?

A. I can't tell exactly; but I have attended all the town meetings, and been subject to their call at other times. I received a letter from Joshua Noka, and also one from Samuel Congdon, to come to the last meeting; and I came. In 1858, I think it was, when the Commissioners came from Providence to Cross' Mills—Mr. Elisha R. Potter. Mr. Sheffield, and another gentleman—we did as much work towards helping the Commission along as they did here, and bore a part of the expense, irrespective of what was received from the town of Charlestown.

Q. Have you ever voted, or tried to vote, in any town in this State, outside of the Narragansett Tribe?

A. I have voted some on real estate qualification in the city of Providence. I never voted aside from voting on real estate qualification. Mr. Thomas has voted in Voluntown for the last few years, as far as I have learned.

Q. Have you since you have voted in Providence ever resided in the town of Charlestown?

A. No, sir.

Q. How long since you voted there, should you think?

A. I guess I voted there in 1872, perhaps. I came away from there in 1873.

Q. Voted there while Doyle was Mayor?

A. Yes, sir. I will state here, however, that I never voted at two places the same year. When I voted here, I didn't vote there. There have been some traps set to catch me in that direction, but I knew enough to know how to regard my rights and immunities.

Q. Here is a list that you handed to the Commission. Will you please state who they are?

A. Yes, sir.

Q. (By Mr. Peabody.) When you heard that this money was to be divided up, you didn't move back on to the reservation, did you?

A. No, sir; I thought it would not be policy for me to do so. I would like to state to some here, that in the years '49 and '50. I didn't succeed in getting a place to live as I wanted to, and, finally, as my wife was Mary Richmond's daughter, she asked us to go down there and stay, and we did. During the time that I was in Charlestown, about two years, I attempted to settle in the town, without success. In the first place, I purchased from Aunt Hannah Hazard a piece of land. My wife preferred that, because it was nearer to her mother. I was to give her five dollars on acre for the land, comprising about fifteen acres. It was ploughed a year or two, and I failed to get it. Then I tried to purchase a piece of land of Matilda Congdon, and she signed a paper, which I can produce, that I should have several acres of land. Then there was an attempt made to get a grant for her to sell it. William Perry, being ignorant of the course to pursue, didn't take the petition and have her sign it, but hurried it to the Assembly without her signature; but as soon as the Indian Council found that there was a petition of that kind, they objected to it, and there I was again; and I said if I couldn't live in Charlestown I could make a living somewhere else, and they will bear me witness that I testify to the truth in relation to the matter.

In regard to these names I will say: I am living with my second wife. The first was Francis Richmond, Mary Richmond's daughter, a member of the tribe; also, my second wife. The children by the first wife are Charles Henry, born in the City of Providence, June 4th, 1848. The one following him wasn't born in Providence, and is not living. I suppose it is not expedient to call his name. The next is my daughter Mary. She was here at the last meeting, and you have her name and age. Then my daughter Annie, born in 1860, I think, the 21st day of March. I am not exactly positive about that. That comprises the four children of my first wife.

My second wife was Mary Richmond, originally. Afterwards she was married to Moses Noka, John Noka's son, and since his death she has been married to me about ten or eleven years. By Mary E., one child. She was born on the 11th day of June, 1873. Her name is Etnah. When she was five months old she fell out of bed, and struck upon her head; and the result was that her head commenced to expand, and has continued to do so until it has expanded to thirty-one inches in circumference; and she has not been able to help herself, to raise herself, or feed herself. She can't converse as other children do, but she will pick up words and talk; and probably her condition never will change until it changes in death. She will be at our mercy as long as she lives. Our Council is conversant with it, and they should have looked at this case with others.

There was a statement in the *Journal* that I presented thirty-two children of my own family. That is almost as many as Adam and Eve had. I think there are members in the Council that have more children than I have; and I don't know why I should be stigmatized for offering the names of those connected with me, some by marriage and others by parentage.

My wife, Mary Noka, has seven children—four girls and three boys. They are as lawful members of the tribe as she is, because they follow the pedigree of their mother. The pedigree is straight, for it follows the mother. If the father and mother were not married, it couldn't follow the father. If they were married, however, it makes them lawful heirs. Those were by her first husband. There are only thirty-two represented here, but they married into my wife's family.

Q. (By Mr. Sheffield.) What are the ages of those that are under age?

A. My daughter Annie is twenty this year. There was Christopher E. Noka, and also Daniel. Daniel Noka was 23 years old, and Christopher 19. My son Charles had two children.

Q. Is your son dead?

A. No, sir.

Q. Why don't he represent those children here?

A. I don't know for what cause. I sent him word, and he informed me that he was coming, but for some cause hasn't come. My sister Mary Jane is present now. Here are two children that are members of the Narragansett Tribe, which have not been represented in the list, and they are friend Ammons' oldest son and daughter—Alexander R., and one is 29 and the other 30, as far as I can tell.

Q. We are only asking you in regard to your own family.

A. Those are my wife's sister's children.

Q. (By Mr. Peabody.) I would like to ask Mr. Cone if his father and mother were lawfully married?

A. I regard that as a very important question, and will answer it to the best of my ability. I understood, from what my father and mother said, that they were married in Portland, Me., at a place called Kennebunk, where my mother was brought up. The gentleman's name that she was brought up with was Gov. Story.

Q. Did they have the reputation of being man and wife?

A. Yes, sir. They stated that they were married the year after the September gale. They lived together and were received in Charlestown, and lived there as man and wife, so that the church was satisfied as to that.

Q. They were recognized as man and wife?

A. Yes, sir.

Q. Did you all belong to the church?

A. Yes, sir. There was not a member of my father's family that was not connected with the church.

Q. And they visited as man and wife?

A. Yes, sir.

Q. Do you know what became of their certificate of marriage?

A. Yes, sir. My mother said that when the house was burned, when I was three years and a half old, or four years at the most, that everything was burned except their three children that were at home—myself and one sister that was older, and one brother that was younger. My sister and myself took our young brother and carried him out to the side of a rock, and remained there until mother came.

Q. You always understood that the certificate of marriage was burned up in that house?

A. Yes, sir.

Q. You were before this previous Commission at the various hearings, before the sale of this land?

A. Yes, sir.

Q. Recognized as a member of the tribe?

A. Yes, sir. I never was objected to.

Q. You have always been recognized as a member of the tribe?

A. Yes, sir; all through life; and I think there are living witnesses to testify to the same.

MR. CARMICHAEL.—Have the members of the Indian Council any questions to ask Mr. Cone?

BRISTER MICHEL.—Deacon Cone has made objections to the Noka family as not belonging to the tribe, and he is just as lame as they are. When you come to the point of the law, they have got to be begotten by an Indian man, and any other woman but a negro woman. Now, Cone's mother was a nigger woman, and I know it.

MR. CARMICHAEL.—If you wish to ask Mr. Cone any questions, do so; or, if you wish to testify, you will be sworn,

BRISTER MICHEL, SWORN.

Q. (By Mr. Sheffield.) Do you know anything about the mother of Mr. Cone?

A. Yes, sir.

Q. Can you testify as to whether she was a negro woman or not?

A. She was. I was personally acquainted with her.

Q. She lived in Portland?

A. Yes; or came from Portland.

Q. She was married in Portland?

A. I don't know whether she was married or not. She lived here with John Cone.

Q. Lived on the reservation?

A. Yes; staid here awhile, until Jim Kenyon sold the house over his head.

Q. Has Mr. Cone been in the habit of attending your tribe meetings?

A. Sometimes, and sometimes he hasn't.

Q. When he was there did he usually vote?

A. Yes.

Q. Any objections to his voting?

A. No, sir; no objections at all.

Q. While his father was on the reservation, was he ever a member of the Council?

A. No, sir; not while his father was living.

Q. Was his father a member of the Indian Council?

A. Yes, sir; in 1849 he was a member of the Council.

Q. And you used to grant him privileges such as other members of the Council had?

A. Yes, sir.

Q. Was Edward Cone ever a member of the Council?

A. Yes, sir; in 1849.

Q. Has he acted with the tribe within the last few years, and voted?

A. No, sir; he has not. He has been here and voted; that is all. He has been here once a month.

MR. CONE.—I am here every month.

Q. Was there ever any objection during any of that time to his voting?

A. Not until the other day.

Q. Did the Council know that he voted in the city of Providence?

A. I didn't know it as a fact.

Q. (By Mr. Peabody.) Did you understand that he had?

A. I understood that he had voted in the City of Providence?

Q. But you were not there to see him vote?

A. No, sir; I was not.

MR. CONE.—I did vote there, in 1872.

EXAMINATION OF MR. CONE, CONTINUED.

Q. (By Mr. Adams.) How many years did you vote there?

A. I am not positive. I think, two or three times.

Q. Then did you go to the March meeting and vote?

A. No, sir. The friend that was last on the floor stated that he knew that my mother was a negro woman. I am older than he is.

Q. Do you know Nancy Noka, who married George Cheeves?

A. Yes, sir.

Q. Did you know her when she was young?

A. I knew her before she was married. She was connected with the Pond Street Church.

Q. Did she know your wife?

A. Yes, sir.

Q. Do you think she knew where your mother came from?

A. I don't think that Nancy was much acquainted with my mother, although she might have been in early days.

Q. (By Gideon Ammons.) Did you see your father and mother's certificate before the house was burned up?

A. Well, I shouldn't have known much about it at that time. I was about three years old. I have heard them say that they had one, and that it was burned up in that fire.

MR. AMMONS.—Of course, it is plausible, and the Commissioners will have to take it; but it looks rather doubtful to me. If we can

judge anything from color, we should judge that you was an African.

MR. CONE.—Then I should judge that you were. There is not much difference in our color.

MR. AMMONS.—Nobody had any objection to your father living with her, and there was never the first question asked whether they were married or not. They were contented to live together, on a piece of land that the Council gave to your father.

MR. CONE.—They lived together before the Council gave father any land. They never gave him any land until after the house was burned, and grandmother was going to build again on that land. My grandmother lived on her land.

GIDEON AMMONS, SWORN.

Q. (By Mr. Peabody.) You were before the committee, were you not, at the meeting-house?

A. Yes.

Q. You spoke before them, and were asked questions?

A. Yes, sir.

Q. Mr. Adams was there, wasn't he?

A. Yes.

Q. Do you remember Mr. Adams asking you "are members ever voted into your tribe by a vote of the Council?"

A. No. He asked me how members were made.

Q. Now, do you remember of making this answer to him: "No, sir; all the way we can make members is when anybody comes and claims to be a member of the tribe they inform the Council, and the Council is bound to attend to them at any time when they call. Then they must present living witnesses. We can't take paper. We want a witness that can go back and trace their pedigree from the stump; and when they can trace from the stump, and bring clear evidence, then we will receive them as members of the tribe; and if they can't do that, they pass on?"

A. Yes, sir; that was my reply to that.

Q. Then the fact whether they live on the reservation makes no difference. If they can prove their pedigree, you consider them members of the tribe?

A. Yes, sir.

Q. Also, your answers to the following: "Mr. Carmichael.—Has there ever been any members of the tribe taken in by vote? Mr.

Ammons.—No, sir. They would have to prove themselves by living witnesses. If anybody can prove themselves by living witnesses, and can trace their pedigree to the tribe, we let them in; but if they cannot do it in that way, they can stay out. Mr. Adams.—If born in wedlock, they can prove themselves? Mr. Ammons.—Yes, sir. Mr. Adams.—Suppose they were born out of wedlock? Mr. Ammons.—The child follows the mother. The Government made a regulation, in 1792, that if they were not married the child couldn't inherit the tribal property from the father, but the woman being in the tribe the child would follow her anyhow."

A. What they call tribal land we call public land.

Q. If a man and woman were lawfully married, their children would be members of the tribe, if either one of them was a member of the tribe?

A. Yes, sir.

Q. So it would make no difference if one of them was a negro, if one was a member of the tribe?

A. When that regulation was made there were slaves sent to Rhode Island, and you people wanted the benefit of the children. If a nigger woman said she had a child by an Indian, she would claim the child. That was what that was put in for. The Government of Rhode Island said nothing about it after slavery had passed away.

Q. If an Indian and a negro were married lawfully, and had a child, the child would be an Indian?

A. Yes, sir.

Q. (By Mr. Carmichael.) Has that been the custom of the tribe?

A. When slavery died out of the State. When they had slaves in the State, they called a negro a slave. If you had children by a slave, it belonged to your chattels; but if he was lawfully married, this child would inherit his rights.

Q. (By Mr. Peabody.) That was after 1792?

A. Yes, sir.

Q. Before that time, if they were married they were all Indians?

A. Yes, sir.

Q. (By Mr. Carmichael.) In a case like this, where it has been generally known that there were members of certain families who originated in that way—by an Indian father and a negro woman, has the custom of the tribe been such since that time that they have been recognized as members of the tribe, and treated as such?

A. Yes, sir.

Q. When not married how was it?

A. If they were not married, and it was a negro woman, the children follow her out.

Q. The Council have cut them off?

R. Yes. But if a woman that belonged to the tribe had children by a negro man, the children followed her in the same way as if they were not married.

MR. PEABODY.—As there is a lawyer on the committee, he knows that proof of pedigree is in the reputation. If they attended church together, visited back and forth, and were treated as man and wife, that is sufficient. According to all the rules and customs, it seems to me that Cone brings himself within the rule; and, I suppose, that all the reason that objection is made against him is because he has objected to others.

There is one thing that has occurred to me, and I will use it as an illustration. Everybody who believes in the Bible believes that the Jews are going back. Now there are Jews all over the world. Suppose they were all to go back to Palestine, where would they come from? They would go in and prove their pedigree, just the same as Indians do,—no matter whether they live on the reservation or not. If he proves his pedigree, he is recognized. He is not obliged to live in Palestine.

MR. CARMICHAEL.—Of the names that were registered at the last meeting of the Commission, about one hundred, including the children, are objected to. Now, the Commission propose to take up the heads of the families, because upon them rest the children. We will now take up the list, just as they were objected to.

(Mr. Sheffield reads the list prepared by the committee of the Indian Council as far as the name of Joshua Noka.)

MR. SHEFFIELD.—There is an objection to Mr. Noka, and we will hear his testimony.

MR. NOKA.—I would ask the question why it would not answer as well if my brother Samuel Noka was taken, and testimony given in regard to him?

MR. SHEFFIELD.—I should think that would be admissible, as he was a member of the family.

MR. PEABODY.—What was your father's name?

MR. NOKA.—His name was Gideon.

MR. PEABODY.—Was he a member of the tribe?

MR. NOKA.—I understand it so.

MR. PEABODY.—What was your mother's name?

MR. NOKA.—Hannah Gordon, I believe.

MR. PEABODY.—Was she a member?

MR. NOKA.—No, sir; I don't understand that she was a member of the tribe.

BENJAMIN THOMAS, SWORN.

Q. (By Mr. Carmichael.) Did you know Mr. Noka's father?

A. No, sir; I did not.

Q. Do you know anything about his brother—whether he was ever a member of the Indian Council?

A. Yes, sir; well acquainted with him. I was acquainted with Samuel Noka probably fifty years. He was probably twenty years older than Joshua. He acted as a member of the Council before any man almost that we have with us here. Here is his name on several papers that I have here, where he did business for this tribe; and there never was any dispute or question about him. I have a record at home where he prosecuted a number, and carried the action to judgment, for going into our Indian swamp and cutting timber without a permit. It was not so in the days of Augustus Harry. There was some question raised, and I was informed that he said that this thing was under consideration, and that they carried it so far as to settle that, Gideon Noka marrying Nancy Noka, they were members of the tribe?

Q. It was discussed, was it?

A. Yes, sir. Here is a list of his doings, when he was elected to the Council.

Q. Did you ever hear that his father was a member of the Council?

A. His grandfather was. Here is another paper, signed by the Council.

MR. PEABODY.—I don't see what Samuel Noka has got to do with this. He might have been a son by another woman.

MR. THOMAS.—They were all of the same family—brothers. There has not been any dispute about it whatever. That is all that I see necessary for me to testify to.

Q. (By Mr. Sheffield.) Mr. Joshua Noka acted as a member of the Council for some time?

A. Yes, sir.

Q. Always been recognized as a member of the tribe?

A. The first that he acted by being in the Council was twenty-eight years ago.

Q. Ever hear any objection to him as a member of the tribe?

A. No, sir. Mr. Cone himself always supported him, and voted against me. I knew Samuel Noka from the time I was four or five years old to his death. I can produce other documents where he did business.

Q. (By Mr. Peabody.) You say that Joshua Noka has been a member of the Council for twenty-eight years?

A. Twenty-eight years ago he went into the Council.

Q. Hasn't Mr. Noka always been objected to?

A. No final objection. It has been a kind of a talk, but there has been no real objection. Nobody ever offered to come up and show themselves until this present time.

Q. (By Mr. Carmichael.) Is Mr. Noka's grandfather's name attached to any of the old records?

A. Yes, sir. Here is a deed that he signed.

Q. (By Mr. Peabody.) Have you lived on the reservation lately?

A. Yes, sir.

Q. How lately?

A. I have been there six or seven years—within that time.

Q. Before that time where did you live?

A. I lived in the town of Richmond, just across the line.

Q. How long?

A. I moved into Charlestown a year ago last fall—two years this fall. Then I moved into Richmond, and lived there last year.

Q. You moved into Charlestown two years ago, and lived there a year?

A. Not quite a year. I have been one year in Richmond.

Q. Where did you live?

A. On the King farm.

Q. In Charlestown?

A. Yes, sir.

Q. Previous to that time where did you live?

A. I lived five or six years in Voluntown.

Q. Did you vote there?

A. Yes, sir.

Q. Which is the oldest, you or Mr. Cone?

A. I guess he is five or six days older than I am.

MR. CONE.—Thirteen.

GIDEON AMMONS, SWORN.

Q. (By Mr. Noka.) I would inquire what you understand about my grandfather—how he stood as a member of the tribe?

A. Your grandfather was my grandfather, and there never has been any question. He can be traced right from the stump of the tribe. He took up quite a large tract of land westward of the Indian cedar swamp. He had four children: Sarah; Gideon, Joshua's father; Jerusha, my mother, and Samuel, Peter Noka's father.

Q. Did you ever see my father—Gideon Noka?

A. Yes, sir; I have seen him quite a number of times. He lived in South Kingstown, and used to come to our house occasionally.

Q. Were you acquainted with Sam, Peter's father?

A. Yes.

Q. You never heard any dispute as to his right in the tribe?

A. There couldn't be any.

Q. Did you know about his holding office?

A. Yes, sir; he was in the Council. I commenced in '47 to be a member of the Council, and was in pretty much every year with him as long as he lived; and there has never been a lisp, to my knowledge, that that family was ever disputed. I never heard anything about it until sometime about four or five weeks ago, when Edward said he was going to try you. I told him "if you try him, you are down flatter than a flounder. He has better proof than you can bring." Mr. Perry was there, and heard what I said would happen if you undertook that.

Q. You have been somewhat acquainted with me for a long time, and know about my acting as a member of the Council of the Narragansett Tribe for a term of years?

A. Yes, sir; I know you always used to be at town meeting and vote for us; and so, twenty-eight years ago, we told you it was time that you came into the Council, and you did. I think you was the third man on the Council that year, and have been in pretty much ever since; and there never has been any talk that has come to my ears before this time.

Q. Do you recollect when I went to the Legislature and tried a case that Dr. Griffin got up; and when I have been with the rest of the Council?

A. Yes; you were there, and Dr. Griffin. We were there a fortnight; and we licked him, and turned him out of the Commission,

and held the public land until we got ready to sell it. Now we have sold it, and it is all straight.

BRISTER MICHEL, SWORN.

I know Joshua Noka. He has been a member of the Council for the last twenty-seven years, and I never heard of any objection being made that he was not a member of the tribe. Have known his brothers. They always acted with us, and no objection was made to them. His brother Sam signed many of our old deeds and leases. Joshua was again elected a member of our Council last March. I have lived in Charlestown for the past fifty years. Joshua has lived here the last thirty-three or thirty-four years.

(Mr. Cone then called in support of his objection.)

DANIEL PRIMOS, SWORN.

I remember Uncle Gideon Noka, father of Joshua. He was a member of the tribe. I was always told that he belonged to the tribe. Uncle Gideon's widow, "Aunt Nancy," had no land of her own, and the Council gave her some. She belonged in South Kingstown. They gave it to her on condition that she should build on it in one year and a day. If she built on it within that time, she should have the land; otherwise it should go back to the tribe. That was the law in those days, and it has never been altered that I know of. There are several chunks held that belong to the tribe now. My grandfather himself occupied and built on land, and was a member of the tribe. I claim my blood through him, and not through "Aunt Nancy," my grandmother.

Q. (By Mr. Ammons.) Where is there a piece of land that should go back to the tribe?

A. The piece of land by Mr. Burdick should go there. I have seen Mr. Noka's father. I think I have seen him at the meetings of the tribe. I don't remember any objection to Joshua's brother. Have seen him a good while acting as a member of the tribe. I have not lived in the tribe. Have always been in South Kingstown, and now live in Charlestown. I never heard how Joshua was connected with the tribe. His grandmother was always calculated not to be a member of the tribe. She got up a row, and interceded with the Council, and they gave her a piece of land to build on, and engrafted her into

the tribe. Samuel and Gideon, her two sons, built a house right off, and all helped. The old woman lived there a good while. Mother went there to live, next to her, and I with her. "Aunt Nancy" died, and the house fell down; and it then should go back to the tribe. Her son built on it, and held it. Gideon's brother, Samuel, married a woman in the tribe. Always held that Joshua Noka was not clearly a member of the tribe. After the house fell down, Gideon built up a second. He got no permission from the Council to build. He lived there, and died there. His brother Samuel never lived there. I remember who were members of the Council at that time. I never heard that Joshua's mother was lawfully married. Most of Gideon's children were born in South Kingstown before he moved there. He was no blood-heir to the tribe.

Q. (By Mr. Noka.) Did you know my grandfather?

A. No; I never knew your grandfather. Nancy Noka had two children, Gideon and Samuel. Don't know if she belonged to the tribe. There was no public objections by the Council or members of the tribe. I have not attended the meetings for thirty years. Was here when Joseph Stanton was Commissioner.

GIDEON AMMONS, SWORN.

My father and mother were at the wedding of Joshua's parents. They always lived together as husband and wife, and were so recognized by other people.

CASE OF DANIEL SEKATER.

DANIEL HARRY, SWORN.

(Called by Mr. Cone in support of his objection.)

Aaron, Daniel's father, always belonged to the tribe. Aaron married first Thomas Rogers' Sister Hannah. Afterwards she went home to her mother, and Aaron went off into Connecticut, and there used to visit and stop at Smart's house. One day Smart came home and found his wife gone, and Sekater gone too, leaving him two children to take care of. Smart followed them as far as the Rhode Island line, and concluded that if his wife didn't want to live with him he didn't want to live with her, and turned around and went home. Sekater wanted Stanton to marry him and the woman he ran away with, but he wouldn't. They lived together, and had children. She was an

Indian woman, not of this tribe. They never married, that I know of. Daniel is one of their children. I am better acquainted with Daniel than with his parents.

BENJAMIN THOMAS.—I have known Sekater since 1854. Knew Lorenzo, his elder brother, and was acquainted with his father Aaron before he went away. Our folks lived near him when we moved to Watchaug. I have heard it said that the church made objections to him and his wife living together, and that because of it he was married to her by an elder of the church. I know that there was a dispute about the marriage of Daniel's parents. I do not know that there ever was any objection made to Daniel as a member of the tribe by anybody. At the last election he was chosen a member of the Council, and has been active in the tribal matters for ten or twenty years. Was always recognized as a member. Amy Hazard testified in the Justice Court that Aaron Sekater was married to his wife.

AMY HAZARD, (sworn.)—I know Mr. Daniel Sekater, and knew his father and mother; but do not know they were ever married.

GIDEON AMMONS.—I knew Mr. Sekater's father and mother. Nobody ever raised any question as to their marriage. They always lived together as man and wife, and she was called Mrs. Sekater both before and after Daniel was born.

JOSHUA NOKA.—I remember Sekater's father and mother when I was young. He was one of the most gifted men in exhortation that I have ever heard, at least, on the tribal lands. They always lived as man and wife, and there was no dispute about it. They went to church together, and were received as such until he died. I never heard any dispute as to it.

MR. CARMICHAEL.—The next name on the list is that of Gideon Ammons. It is objected to.

(Mr. Cone withdraws his objection to the name of Gideon Ammons.)

MR. CARMICHAEL.—The next is Daniel Primos, 71 years of age, objected to.

(Objection withdrawn.)

MR. CARMICHAEL.—The Secretary of the Commission requests that all under 21 will send to him the date of their birth.

(Mr. Carmichael continued the reading of the list, until the name of Luke Hopkins was reached, who was objected to.)

MR. CONE.—I can tell what I have heard in relation to the case. I have no personal knowledge of this matter myself, but I have been

informed by older members of the tribe, that the original Harry Hazard, the grandfather of these Hopkins children, came from Martha's Vineyard; that he was a man that followed fishing; that he came and proposed to sell fish, which they consented to; that he asked to have a small place to build a house, which they consented to. Also, that the woman that he had with him came from Mohegan; that her name was Nancy Swan. They raised up three children, Joseph Hazard, Mary Hazard, and Ephraim Carpenter's wife. Mary Hazard was Harry Hazard's daughter, and Mary Hopkins' husband was a white man from Connecticut. That brought up this family of Hopkins children. I have heard this repeatedly from parties, stating under these circumstances that they were not lawful members of the tribe. If I have received a wrong impression, it is what I hear.

MR. CARMICHAEL.—Is there any one here who wishes to come forward to present objections to Mr. Hopkins?

MRS. LUKE HOPKINS.—Mr. Cone says that I belong in South Kingstown. I have lived here most of the time, without objection, and have been out of the town not over ten months. I claim that my home is where my husband is, and that is in Charlestown.

MR. CONE.—According to a law of this State, a white man and a colored woman have no right to be married. If they were married, they were married unlawfully. But whether they were or not, if she was Harry Hazard's daughter, he not belonging to the tribe, and his wife not belonging to the tribe, and Charles Hopkins being a white man, she certainly cannot belong to the tribe.

MARY ANN HOPKINS.—My mother always belonged here, and was born in Charlestown. She was real Indian. My grandfather belonged here, and my mother had as much right as any that belonged here. A good many had objections to her because she married a white man, but he was one-quarter colored. I have a certificate showing that my father and mother were married. I am a sister of Nathaniel Hopkins.

NATHANIEL HOPKINS, SWORN.

Q. (By Mr. Sheffield.) How old are you?

A. 69.

Q. Was your father or mother a member of the Narragansett Tribe of Indians?

A. My mother was.

Q. What was her name?

A. It was Mary Hazard.

Q. Whom did she marry?

A. Married Charles Hopkins, of East Greenwich.

Q. Who was your mother's father and mother?

A. My grandfather was named Harry Hazard, and my grandmother was named Pauline.

Q. Were they members of the tribe?

A. So they told me.

Q. Have you always acted as a member of the tribe?

A. Yes.

Q. Voted for the members of the Council, and been present at their meetings?

A. Yes, sir.

(The reading of the list was continued until the name of Fidelia Green was reached, against whom objection was made.)

MARY JONES, SWORN.

Q. Do you know Fidelia Green?

A. I do.

Q. How old is she?

A. She is 27 years old.

Q. Is she any relation of yours?

A. I suppose I ought to call her my child, but she don't own me as a mother.

Q. Some family quarrel?

A. Yes.

Q. Is she a member of the tribe?

A. She is no member any more than I belong to the tribe. She is my daughter.

Q. You have always been a member of the tribe?

A. Yes, sir.

Q. Where do you live now?

A. I live in Middletown.

(Continues reading, the next name objected to being that of Joseph Bent.)

JOSEPH BENT, SWORN.

Q. (By Mr. Carmichael.) Are you a member of the Narragansett Tribe?

A. Yes, sir.

Q. Voted at their meetings?

A. Yes, sir.

Q. How long since you attended a tribe meeting, when they elect the Council?

A. I am generally there about every year.

Q. Were you there last year?

A. Yes, sir.

Q. Any objections to your voting?

A. No, sir.

(Objection withdrawn.)

(Reading continued, the next name being that of Alexander Gardner.)

MR. CONE.—What I have understood in relation to that is this: that she claimed her membership to this tribe under Lodick Paul. She couldn't be a member of this tribe through that channel.

(The next name objected to on the list was that of Rhuahamer Malbone, age 108.)

BENJAMIN THOMAS.—I remember when they tore down her house, and then gave her a piece of land, and acknowledged her as a member of the tribe.

(Objection withdrawn.)

(The reading of the list prepared by the committee of the Council was concluded, and the names registered at the first meeting were then taken up. Objections were withdrawn to the names of Mary E. Ammons and Betsey Bent.)

FRANCIS COOPER, SWORN.

Q. Where do you live?

A. Norwich, Ct.

Q. How old are you?

A. I don't know exactly. I judge, about 49.

Q. Are you a member of the tribe?

A. My father was.

Q. When were you here last?

A. I guess, about four years ago.

Q. Have you a husband?

A. No.

Q. Children?

A. Yes, sir; two: Ida and Addie. Ida was 20 the 6th of May, and Addie was 17.

Q. What was your father's name?

A. George Peckham.

MR. CARMICHAEL.—Mr. Michel, do you know this woman?

BRISTER MICHEL.—Yes, sir.

MR. CARMICHAEL.—What is her name?

BRISTER MICHEL.—Peckham.

(The next name objected to was Lizzie Congdon.)

ANGELINA ROGERS, SWORN.

Q. Is Lizzie Congdon your daughter?

A. Yes.

Q. Do you claim to be a member of the tribe?

A. Yes, sir.

Q. Been recognized as such by the Council of the tribe?

A. Yes, sir.

Q. Has anybody before the Council, or anybody, ever disputed your right?

A. Not before the Council. That land was set off to me twice.

MALBRO GARDNER, SWORN.

Q. (By Mr. Carmichael.) Mr. Gardner, have you ever voted at the tribe meetings?

A. I never have. I have been principally a seafaring man, and haven't been here except occasionally.

Q. How long since you lived here in Charlestown?

A. I never lived here to make it my home.

Q. How old are you?

A. 42.

Q. Did your father ever live here?

A. Yes, sir.

Q. A member of the tribe?

A. Yes, sir; Harry Gardner.

Q. He voted here?

A. Yes, sir. My grandfather was Stephen Gardner.

(Still objected to by Mr. Cone.)

The following names were registered: .

Francis E. Holmes, age 36; born in North Stonington; lives at Westerly; is at the reservation occasionally; married David Holmes, a member of the tribe; one child: Charles D., 16.

Hannah E. Rebiero, age 40; born at North Stonington; lives at New London; at the reservation every August meeting; married out of the tribe; no children.

Nancy Williams, age 49; born in Hopkinton; lives at New London; never at the reservation; daughter of Hannah Babcock; married George L. Williams, a member of the tribe; no children.

George W. Gardner, (son of Eunice Gardner), age 13; born in North Stonington; never at the reservation.

Hannah B. Watson, (daughter of Charlotte Conway), age 21; born in Charlestown.

Daniel Harry, age 73; born in Charlestown; lives at South Kingstown; at the reservation occasionally; has not voted here for over thirty years; married out of the tribe; nine children: Mary, 19; Georgianna, 16; Lydia R., 14; Hannah, 11; Luke, 7; the rest are adults.

Anstriss Nichols, (widow of William S. Nichols), maiden name Cooper; daughter of Henrietta Jackson; age 69; born in Providence; lives in Providence; never at the reservation; married out of the tribe; mother was a member of the tribe.

Benjamin R. Champlin, age 38; born in Charlestown; lives in Providence; was at the reservation about four years ago; has not attended the annual meeting for about eighteen years; never voted anywhere; married Mary Helm; three children: Ellen M., 17; Jane R., 14; Walter H., 9.

Russell Simons, age 56; born at Stonington; has lived about two-thirds of his life on the water; was at the reservation about three weeks ago, and has been there off and on; married Harriet Gardner, a member of the tribe; five children, all grown up.

Thomas A. Helm, age 30; born at Wakefield; lives on the reservation; has lived there a year and over; is a sailor; has been at the reservation now about four months; married Lizzie B. Champlin, a member of the tribe; his father belonged to the tribe; three children: George H., 6; Ethel, 4; George A., 2.

Lawson B. Francis, age 21; born in Mystic, Conn.; lives in Stonington; never at the reservation before; not married; mother was Almira Gardner before she was married.

Mary Jane Peters, (daughter of Charles Peters and Melissa Conway; Charles not a member of the tribe; Melissa was a member of

the tribe, but has been dead about twenty-eight months), age 11; lives in Westerly.

Sarah F. Peters, (sister to Mary Jane), age 9.

Charles E. Peters, (brother to Mary Jane), age 2.

Alexander R. Ammons, (son of Gideon L. Ammons), age 32; born in Charlestown; lives in Providence; has not been at the reservation for seven years; married out of the tribe; no children.

Herbert Fairweather, age 21; born in South Kingstown; lives in South Kingstown; never lived at the reservation, and never was at the annual meeting in March; was at the reservation last fall; father was not a member of the tribe, but mother was; mother's maiden name was Nancy Ann Hopkins; Herbert is not married.

Judith Ammons, age 72; born in Charlestown; lives in Stonington; has been at the reservation occasionally, but not for a good many years; married Gideon Ammons' brother; two children, of age.

Sophronia (Brown) Perry, age 33; born in Richmond; lives at Narragansett Pier; married Ezekiel Perry, not a member of the tribe; one child: Lillie H., 7.

The following children of Joseph and Patience Stanton: Katie L., 16; Mary A., 13; Horatio S., 11; Hannah M., 9; Jeremiah, 7; and Joseph B., 18, already entered.

Allen Ross, age 27; born at Stonington; lives in Providence; has been to the reservation twice; his mother was Betsey Ross, formerly Niles; she was a member of the tribe, and owns land at the reservation; not married.

Laura Rhodes, age 28; born in Norwich, Conn.; lives at Kingston; was at the reservation thirteen years ago; married Thomas Rhodes, not a member of the tribe; her grandfather is George Brewster; two children: Thomas R., 11; William, 6.

Ellen (Niles) Hector, age 43; born at Stonington; lives at Hartford; married twice,—the first time in the tribe, and the second time out; one child, of age.

George W. Munroe, age 26; born at Bozrahville, Conn.; lives at Norwich; was at the reservation two years ago; never at the March meeting; son of Ellen Hector; not married.

Hannah Rice, (daughter of John Noka), age 49; born at Charlestown; lives in Newport; married out of the tribe; children: Isaac, 23; Lewis, 19; Gerzella, 21; Claudine, 9; Frederick, 7.

Abbie R. Smith, (sister of Hannah Rice); born in South Kingstown; lives in South Kingstown; married out of the tribe; two children: Fred, 2; Rowland 1.

Ester R. Brown, (sister of Hannah Rice), age 27; born in South Kingstown; lives in South Kingstown; married out of the tribe; one child: Esther, 3.

Charles O. Carpenter, age 32; born at Stonington; lives at Norwich; was in Charlestown when he was about five years old; never at the March meeting; married out of the tribe; son of Isaac Carpenter; father and mother are both dead; two children: Charles, 5; Henry, 7.

Lewis B. Harry, age 26; born in Warwick; lives in Pawtuxet; was at the reservation two years ago, but never has been to March meeting; is brother to Artemus Harry; not married.

William H. Bent, age 33; born in Charlestown; lives in Providence; was at the reservation about four years ago; formerly participated in the March elections; married out of the tribe; one child: Ida F., 5.

Ida Champlin, age 21; born in Richmond; lives in Westerly; never lived at the reservation; married in the tribe; no children.

George H. Champlin, (husband of the above, and son of Henry Champlin), age 23; born in South Kingstown; lives in Westerly; has lived at the reservation.

Emma J. (Watson) Broddard, (daughter of Thomas A. Watson, who was brother of Gideon Watson), age 39; born in Salem, Conn.; lives at Norwich; has not been to the reservation lately; married out of the tribe; never lived at the reservation; four children: Jennie, 17; John H., 15; Ella W., 11; Lizzie, 9.

Giles Watson, (brother of above), age 37; born in Salem, Conn.; lives at Rocky Hill, Conn.; married out of the tribe; one child: Charles, 12.

Sarah E. Watson, (sister to Giles), age about 41; born in Salem, Conn.; lives at Norwich; married an Anderson, not a member of the tribe; no children.

Clark Gardner, (son of Steven Gardner), age 68; born in Stonington; lives in Stonington; never lived at the reservation, and never attended the elections; married out of the tribe; children: Courtland A., 18; Ellen, 19; Martha A., 20; Alameda, 21; no grandchildren.

John D. Antony, age 69; born in Charlestown; lives in Palmer, Mass.; was at the reservation about a year ago, and has been back and forth; married out of the tribe; two children, of age.

George C. Gardner, (son of Maria Gardner), age 16; born in Charlestown; lives at Mudville, Conn.

William H. Harry, (in the State Prison), son of Daniel Harry; age 38; born in Charlestown.

Daniel Primus, Jr., (in the State Prison), about 45 years of age.

Maria Simons, 27; Harriet, 26; Russel J., 22; Herman, 18; Mary, 15. The above are the children of Harriet (Gardner) Simons. Grandchildren: William Williams, 10; Amy Williams, 2; Daniel, 4; John, 1.

Harriet (Gardner) Simons, (related to the children above), age 46; born in Charlestown; lives in Westerly.

Children of Charles Antony: Sarah Antony, 5; Charles B., 15.

Sarah Champlin, (Abraham Champlin's mother), age 76; born in South Kingstown; lives in Charlestown.

Joseph Cooper, (brother to Francis Cooper), age 52; born in Norwich; lives in Norwich; never at the reservation; not married.

James Peckham, (brother of Frances Cooper), age about 60; born at Norwich; lives at Norwich; has been at the reservation once, about ten years ago.

Alexander Ammons, 47; Joseph E. Ammons, 30; Emma J. Ammons, 22; Hattie Ammons, 4.

Rosella S. Watson, age 43; born in Providence, lives at Narragansett Pier; married out of the tribe; two children: Amy A., 13; Edward D., 11.

Lois E. Williams, age 44; born at Griswold, Conn.; lives at Newport; married out of the tribe; one child: Ada E., 23.

Nancy (Noka) Cheeves, (daughter of Sam Noka, and sister of Peter Noka), age 65; born at South Kingstown; lived in Charlestown two years; has not been in Charlestown in thirty years; wife of George Cheeves, an African.

Adjourned to Wednesday, July 28th, 1880, at 9 A. M., to meet at Samoset Hall, in the village of Carolina.

THIRD MEETING.

The third meeting of the Commission was held at Samoset Hall, in the village of Carolina, on Wednesday, July 28th, 1880, at 9 A. M. About one hundred were present. After calling the meeting to order, the Chairman introduced Hon. Wm. P. Sheffield, of Newport, who spoke as follows:

Gentlemen of the Commission, and Ladies and Gentlemen: I did not expect to be called upon to say anything to-day. I came here merely as a spectator. But I will say that I have been connected with the affairs of this State for a considerable time—thirty-nine years and two months since I entered into public office and took part in the administration of the public affairs of the State. Since that time, for the most of the time that has intervened, I have been associated with the State Legislature, as most of you know, and have often been called upon to act upon matters in which you are deeply interested. It has been a source of great embarrassment to me as an individual, and of great embarrassment to the Legislature during all that period, to act upon any matter which has been connected with the relations of the Narragansett Tribe to each other and to the State; and for these reasons: In the first place, when any one came to the Legislature, the Legislature wasn't sure that they came with honest motives; and, even if they had the endorsement of the Indian Council, they were not sure always that they were right; and even sometimes—if I may be allowed to say it—if the tribal Council came, the Legislature could not but remember that there were a great many women and children behind the Council that were represented, and they were not quite sure that even then it was right to do what they were asked to do; so that they often hesitated, and were very much embarrassed. Then, again, they felt, as I have felt during all of this period, that this tribal property and this tribal relation was an incubus, and was that which bore down the members of the tribe instead of tending to elevate them to self-dependence,—for men are so constituted that

they will be active in proportion as they have a motive to act. It is precisely in this case as it is with the church. You give a church money enough to support it, so that it is not necessary to contribute anything to uphold it, and the church will become useless and die out.

Now I will tell you what I have been satisfied with, and what has induced my action. It is this: As long as this tribal property has existence, there are a class of people that are worthless, idle and vicious; that go away during the summer, and come, so to speak, and alight down on the tribe in the winter. They, therefore, tend to keep the tribe down, and to keep them vicious. They tend to injure its reputation. They feel that if they can do it in that way, they have no motive to exert themselves to take care of themselves, as every one of us should do.

Then, again, with reference to this matter, individuals should learn to take care of themselves in our republican State. They should rely upon their own exertions for a motive to take care of themselves, and not feel that there is somebody that they can light down upon and be supported. That is wrong. It tends to bring discredit on the tribe. It also tends to make them vicious. People go there who are vicious; they drink, they become demoralized, commit crimes and have to be punished. I regret to say that murders have been committed, perhaps instigated by parties from outside.

Think of it for a moment. You are the descendants of great Indian kings—of men who once represented a powerful tribe. Think what dishonor this reflects upon these great men from whom you came. What injustice and what wrong to have crimes committed among you. It is true, you may not do it, but the wrong of this crime attaches to you and spreads over your whole people. A great crime cannot be committed in a town without injuring the town; it cannot be committed in any local society or family without injuring the society or family; it cannot be committed in this tribe without injuring the tribe. Then, more ingenious white people commit crimes, in undertaking to intrude upon your property. It is a source that prevents all growth—the growth of individual manhood.

You are stricken out from the State as citizens of the State. Everything is open to every freeman in the State, because every man is equal before the law. But it is not so with you. You are under a foreign jurisdiction, so to speak, from the great body of the State, and you would be put on precisely the same footing with every other

citizen in the State. It seems to me you ought to be contented with that position, for it will be greatly to your advantage to have this tribal relation disposed of and abolished. There are among you, as I see before me, evidences that you are not all of the blood solely of the Narragansetts, but that you have been mixed with other tribes of men—white and black. You should be put upon the same footing with everybody else.

Now, the Legislature has proposed to dispose of this tribal property, and with the consent of your Council, I think, properly and wisely. Although the State may lose some money by it, nevertheless, they can afford to do it for your benefit. In distributing this money among you a difficulty will arise. A great many intricate questions come up, such as—who are members of the tribe, and who have been members of the tribe and have abolished their tribal relations. The principal question is—who are members of the tribe to-day? These gentlemen are to pass upon that, and they will do it justly. You should bear with one another in considering this question, and try each one of you to do as you would be willing to be done by in relation to this matter; and then, after this matter is settled, each of you will go into the community to depend upon your own exertions, and to act as free men, not bound to this tribe or to anything else. You will have to act for yourselves, standing in the presence of God, and depending upon your own exertions and good conduct.

The following names were registered:

Georgianna Robinson, (granddaughter of Prince Robinson, and daughter of George D. Robinson), age 12; born in South Kingstown; lives in South Kingstown; comes in through Prince Robinson.

Charles H. Wheeler, age 22; born in North Stonington; lives in North Stonington; been to the reservation a number of times; married out of the tribe; no children; is the son of Eunice Wheeler.

Charles E. Harry, (son of Almira Harry), age 20; born in Warwick; lives in Pawtuxet; never at the reservation before; not married.

Simon H. Harry, age 17; born in Warwick; lives in Warwick; not married.

Mercy Ann Hazard, (daughter of Patience Harry,) age 75; born in Charlestown; lives in Providence; a widow; no children under age; at the reservation occasionally; was here about five years ago.

Emeline W. Apes, (daughter of Mary Ann Jones), age 29; born in Ashford, Ct.; lives in Middletown; married out of the tribe; no children.

Mary E. Brushell, (daughter of Mary Taylor), age 49; born in Stonington; lives in Norwich; never at the reservation; married out of the tribe; no children.

Sarah F. (Harry) Williams, age 27; born in South Kingstown; lives at Narragansett Pier; never was at the August meeting, but has been to March meeting; married out of the tribe; three children: Lewis S., 12; Daniel H., 10; Sarah A., 8. Sarah F. is daughter of Daniel and Mary Harry.

Eliza S. Hull, (daughter of Daniel Harry), age 29; born in South Kingstown; lives at Rocky Brook; married out of the tribe; three children: Augustus, 9; Eva, 2.

Daniel Harry, Jr., (son of Mary Harry), age 24; born in South Kingstown; lives at Rocky Brook; never at the reservation; not married.

George Harry, (son of Daniel and Mary Harry), age 21; born in South Kingstown; lives at Rocky Brook, R. I.; never here before; not married.

Thomas H. Taylor, age 30; born in Exeter; lives at East Greenwich; was at the reservation last spring; comes occasionally to the March and August meetings; married out of the tribe; one child: Thomas H., Jr., 8.

Luke Hopkins, age 65; born in Montville, Ct.; lives in Charlestown; been to the reservation considerably; has voted at the March meetings; lived in Charlestown some 38 years.

Mary H. Hopkins, (wife of Luke), age 60; born in South Kingstown; lives in Charlestown; three children, of age.

Dudley Hopkins, age 58; born in Charlestown; lives in Charlestown; always lived there; votes at the March meetings; never was married.

Esther Watson, (cousin of G. Ammons), age 61; born in South Kingstown; lives in Westerly; not married.

Roxanna Dwight, 211 Richmond street, Providence, R. I.

George L. Williams, (grandson of Thomas Robinson), age 55; lives at Norwich, Ct.; never lived at the reservation; has voted in Connecticut.

Eliza Williams, (daughter of Thomas Robinson), age 65; lives in Providence.

Caroline Freeman, age 64; born at Colchester; lives at Norwich; never at the reservation; married out of the tribe; four children, of age.

Olive B. Howard, age 39; born in Hampton, Ct.; lives at Danielsonville, Ct.; was at the reservation about ten years ago; never here but once; married out of the tribe; children of age.

(The Commission then continued the reading of the list of names taken at the previous meetings, taking testimony thereon as follows:)

CASE OF HARRIET CARPENTER.

She is reported by the Council as being the daughter of Isaac Taylor. Her mother was a member of the tribe.

DAVID HOLMES, (sworn.)—She is Isaac Taylor's daughter. He was a negro, and lived in Woodville. He was bound out, and when he became free he came down among the tribe, and married the daughter of Rhuahamer Malbone. They had these children, among them Harriet. Isaac Taylor had a son Isaac carried to the Reform School, and he came out and moved down into Massachusetts, and is now doing well. Also, William, who went to the war, and was killed in Charlestown. He also had this daughter, Harriet Carpenter, who lives in Mudville, Conn. It is some four or six years since she has lived here.

CHARLES O. CARPENTER, (sworn.)—I reside in Norwich. My father was Isaac Carpenter. His mother was Nabby Weeden. Daniel Primos was second cousin to my father. My mother was a member of the tribe. I have not been here since I was five years old. Own lands on the "old post road," in my father's right. I am a voter in Mystic, Conn. Have two children. Am 32 years old. Charles C. Carpenter and Henry Carpenter are my children. My mother was Cornelia Tobey. Father married her.

DANIEL PRIMOS, (sworn.)—I knew Isaac Carpenter. He always lived here with another woman—Hannah Wilcox. Isaac was our cousin. I have seen Cornelia. She lived at Stonington; never lived here together.

NANCY ANN FAIRWEATHER.—I am a member of the tribe, on my mother's side. Mary Hopkins was my mother. She is not living. She owned land here. I own land, and come here every summer. Charles Hopkins, my father, was not a member of the tribe. David and Hannah are my children.

EUNICE WHEELER, (sworn.)—Am grandchild of Georgianna Robinson. My father was Charles Wheeler. Am a member of the tribe by my mother. Have never lived on the reservation.

SAMUEL CONGDON, (sworn).—I am not much acquainted with Mrs. Fairweather, but have seen her from time to time. I know her mother. I have heard that her mother was a Hazard, and not a member of this tribe. Her father was a white man, that came from Woodstock, named Charles Manchester. I don't know anything about except what I have heard. David Fairweather never lived on the reservation. She raised these children in South Kingstown. She hasn't lived on the reservation for thirty years, to my knowledge. Her tract of land is here near the Indian meeting-house. I know of no other land but the family land. Probably there is not over three acres. David lives in South Kingstown. Her brother Nat. improves the land.

PRINCE ROBINSON, (sworn).—I know Hannah Fairweather. I suppose she is connected with the tribe through her grandmother and mother. Her grandmother belonged to the tribe, I suppose, and her mother and father. She has probably lived in South Kingstown twenty-five years, I should think. I guess, before she was married and had a family she was here more or less. I should think it was twenty-five years since she has lived on the reservation. Charles H. Fairweather is her oldest son.

BEN. THOMAS.—She is all right.

HARRIET SIMONS, (sworn).—I know Lawson B. Francis. He is connected with the tribe through his mother. She was a Gardner. He never lived on the reservation. Lucinda Gardner is my aunt. She is also Malbro Gardner's aunt. Her father was Stephen Gardner, a member of the tribe. I think her mother belonged to the Mohegan tribe. Lucinda never lived on the reservation, that I know of. I don't know whether she attended the August meetings or not. Her mother was named Margaret Gardner.

DANIEL SEKATER.—Hannah Gardner is my sister.

EUNICE GARDNER, (sworn).—I am connected with the tribe by my mother. Then, again, Albert Gardner belonged here. My mother was Charlotte Potter. My father was not a member of the tribe. I have never lived on the reservation. I was there for the first time at the last meeting at the meeting-house.

MALBRO GARDNER.—I don't think I ever lived on the reservation. never voted anywhere. Father died when I was at sea. I have been here occasionally. Never voted in the tribe.

BENJAMIN G. GARDNER, (sworn.)—I am connected with the tribe through my mother and grandmother. Mother's name was Betsey Dyer. My father was Ebenezer Gardner. I never lived on the reservation. Have voted in the tribe. It is about six or eight years since I have attended their meetings.

JOSHUA NOKA.—Frank Hazard is my nephew, or great nephew. He was my sister's son's son. That is all I know about him. He was born in Providence, I guess.

JOHN B. GARDNER, (sworn.)—I am connected with the tribe on my mother's side. Her name is Maria Gardner. Rhuahamer Malbone was her mother.

SARAH WILLIAMS, (sworn.)—My maiden name was Harry. I don't know how Harriet J. Harry is connected with the tribe. I didn't know that she belonged to it.

BEN. THOMAS.—Augustus Harry is all right.

MARY WILLIAMS.—Augustus Harry has been married twice. This is his second wife. I couldn't swear that they are married. I think he is lawfully married this time. These children are by his second wife.

JOSHUA NOKA.—I have known David Helm for forty years, and I never knew that he claimed membership in the tribe. We never gave him any rights, and he never asked for any.

GIDEON AMMONS.—I never have learned that he obtained any land or rights in the town.

ED. S. CONE.—I am not directly posted in regard to this matter, but I have heard repeatedly that he was a member of the tribe. I think he can state his pedigree so that you will be satisfied that he is a member. There was at one time a piece of land set off to him, and when he went forward to receive it, it appeared that somebody had claimed that land. He does own a piece of land, near that which was decided to be his.

BETSEY HANKINS, (sworn.)—I was bred and born below here. I belong to the Primus family. Mother's name was Tamar Primus. I can't tell what my father's name was.

MARY A. HOPKINS.—I came in on my mother's side. My mother was Mary Hazard. She married Charles Hopkins. I don't live on the reservation a great deal. It is about thirteen years since mother died. Mother died down here, and all my mother's family. My father and grandfather lived here.

HAZARD CHAMPLIN, (sworn.)—I know Mary A. Hopkins, and all of them, and their parents before them—father and mother. I have seen the mother and father and grandfather. They were not members of the tribe. Harry Hazard was a man that came from Martha's Vineyard. His wife, Mary, came from Mohegan. Harry Hazard and Mary Hazard were the parents of Mary Hopkins, the mother of these children. The parents didn't belong here. The tribe gave Harry Hopkins that piece of land to build a house on, so that they might buy fish of him whenever they wanted to. They hold the same tract of land now. Harry Hazard never voted here, but Nat and Luke and Dudley Hopkins have. Harry Hazard never voted here, and never allowed his sons to vote here. That is in my remembrance. Mary A. Hopkins is the sister of Nathaniel Hopkins. He has voted here in the tribe for a good many years, when he was here. I guess, he always has when he was about here.

MARY A. HOPKINS.—They never gave my father any land. He was a shoemaker, and had a large tract of land here. My uncle Gideon was at sea. Mr. Champlin knows nothing about it.

DAVID HOLMES.—I have found out since the last meeting that my wife is a member of the tribe. Perry Hazard's folks say that she was a member of the tribe.

DANIEL HARRY.—I always thought that the Hopkins family owned that land where they lived, and that they belonged to the tribe, until this came out about them. I didn't know Mary's father or mother. I knew there was three of those children. I used to know a man named Joseph Hazard. I understand that Mary is a sister to Luke and Nat.

EMILY L. HULL, (sworn.)—As near as I can understand it, I am connected with the tribe from my mother and father's side. My mother was Sally Brown, and father was John Lewis. I have lived on the reservation about two years. Married Daniel Hull. Mother died when I was quite small. I have one half aunt on my father's side. She is not here, as I know of. I don't know whether mother lived on the reservation before she was married or not. I have always been told that they lived in Massachusetts. My uncle on my mother's side always told me that my mother belonged to the Charlestown Narragansett Tribe, and, I think, that they did live here. They went to Webster, and from Webster to Sturbridge, Mass. His name is Layton Brown. He is the only one that is living. I can't tell how long ago it was that they lived here. My uncle was mother's brother.

BENJ. THOMAS.—This thing has been investigated several times in the Council, and we decided against their claim. The relationship was denied.

EMILY L. HULL.—All the objection the Council made was that I couldn't bring living witnesses, but I understand that they have taken those papers in since. My aunt at that time was living, but now she is dead. I have those papers here now.

(Mr. Sheffield reads the papers.)

DANIEL HULL, (sworn.)—My wife is the last one of the family, and we are dependent on outside evidence to convince people of her standing. Isaac Dyer had trouble in the family, and he stabbed a man, and was committed to jail about a year before he had his trial. I wanted these certificates to keep a false man off of the track, and to keep a true one on. When I was before the Council they brought up John Lewis, and I asked how old he was, and they claimed a certain age; but we had a paper from the warden of the State Prison, stating just when this man was committed. I had forgotten when this man was murdered that owns the land. It was to show the time. The father of my wife is dead, and I couldn't know anything unless I got something to track the land with. My uncle Joe, who is now dead, told a straight story in regard to the land; but since I have been to the Council, and they found that we were after the land, they don't know anything about it. Joseph Stanton ran off into the cedar swamp, to get rid of telling before the Council what he knew. It was the grandfather of my wife that was murdered, father of my wife's father. He was a member of the tribe. If the relationship is established between my wife and the man that was murdered, that proves the claim.

BENJ. THOMAS.—That is the point that the Council have heard twice.

DANIEL HULL.—I am 61. My father was slave-born, and so was my grandmother—his mother. He had a lawful marriage with the first wife, and my mother was the second wife. He stated to me that he was fourteen years old the dark day—May 19th, 1780. His first wife was Eunice Helm. After I got large enough to read writing and other reading, I found a certificate of his marriage. He had a lawful marriage, which, of course, disengaged him from his master's estate. Then, after that, he married another wife, which was my mother. That mother of mine was a member through the Lewis blood. That was John Lewis, my mother's uncle, and Rhuahamer Babcock, John

Lewis' sister, and Margaret Gardner, John Lewis' sister. My grandmother was named Hannah Hammer. She used to live on the reservation, and left the reservation because the Council went against her land. That is what my mother always told me. And she bought an old place down in Charlestown. It was bought under a deed, and has been under a deed ever since she bought it. We are heirs to that. She was a member of the tribe, and Rhuahamer Babcock and Hannah were my uncle's sisters. They were members of this tribe. They were of this blood. My mother was a member of the tribe, but I don't know that she or any of the children ever acted with the tribe. Her name was Olive Hull. She lived here for the last thirty years or more. I never have voted at any of the meetings. Some three or four years ago they wanted me to, but I wouldn't. Some of the tribe asked me to. I forget who they were; I think Mr. Wilcox's folks. None of the Council ever asked me to. I never acted in tribe matters. I have been to the August meetings pretty regularly.

BENJAMIN G. NOKA.—My father was John Noka, the son of Gideon. My mother's name was Esther Rodman. For the last ten years I have lived in Middlesex County, in the State of Massachusetts. I never voted in Massachusetts. I have voted in the town of Charlestown. I come to the tribe meetings occasionally, and vote; was at the last meeting and voted.

GIDEON NOKA, (sworn.)—I am brother to Benjamin Noka. I don't know Thomas F. Noka. I have two sisters living,—Abbie Smith and Hannah Rice. I have resided lately in South Kingstown. I never have voted in the tribe, or anywhere else. I own individual lands in the tribe, by heirship.

CHARLES ANTONY, (affirmed.)—I know Georgianna Nichols. She is my niece, and my sister's child. She lives in Providence. I don't think she ever lived here. I am a member of the tribe.

ANSTRIS NICHOLS, (sworn.)—My mother and grandmother belonged to the tribe. My mother was Mary M. Jackson. I was never here until the meeting two weeks ago. Have lived in Providence all my life.

BETSEY OLNEY, (sworn.)—Am forty years of age. Am connected with the tribe on my mother's side. Her name was Olive Cross. I never lived on the reservation. I own some land there.

MARY E. PECKHAM, (sworn.)—I am connected with the tribe by my grandmother. Her name was Hannah Harry. I never lived on

the reservation. Have been at Charlestown several times. Am sister to Frances Cooper.

DANIEL HARRY.—I don't know Mary E. Peckham. I had an aunt by the name of Hannah Harry.

GEORGE W. MUNROE, (sworn.)—I know Abbie J. Peckham. She is my aunt. Simcon Niles was her father. She never lived here. Barnum Niles died down here.

PRINCE ROBINSON.—I am connected with the tribe by my grandmother and mother. Mother's name was Abigail Robinson. She was a member of the tribe. I don't know but I voted for members of the Indian Council years ago, but have not recently. Sarah A. Robinson is my wife, Elizabeth is my daughter, and William F. is my son. I have voted in South Kingstown, on real estate.

SALONA ROBINSON, (sworn.)—My mother belonged to the tribe. Mother's name is Priscilla Niles. She is sometimes called Niles, and sometimes Brooks. I never lived on the reservation.

MARY A. PECKHAM.—Ella A. Peckham is my brother's adopted daughter. She came from the poor-house. She was not a member of the tribe. And this adopted daughter had a child, named Ella; not born in wedlock.

ANGELINA ROGERS.—My father and Tommy Rogers were second cousins. I married Tommy Rogers. I claim membership through my father. His name was Namon Rogers. I have lived on the reservation almost five years. I am at work out now, but go to the reservation occasionally.

(Objection insisted upon.)

ANGELINA ROGERS.—It was thirty years ago that I asked for my right, and it was set off to me in 1855 by the Council. I was acknowledged by Tommy, and a piece of land was given to me.

BENJ. THOMAS.—As far as the possession was concerned, the Council found that all right.

WILLIAM R. SEKATER, (sworn.)—William H. Rhodes is my sister's son. He never lived on the reservation since he was a small boy. Never voted here in the world. I think I have heard him say that he had voted in South Kingstown, but I won't be positive about it. Arthur L. is his son. I have seen Laura Rhodes.

LAURA RHODES, (sworn.)—I am connected with the tribe through my grandmother. Her name was Olive Brewster. I never have lived

on the reservation. I claim the land that my grandmother left me. I still own it. Thomas and William are my sons.

JOSEPH B. STANTON, (sworn.)—I claim membership in the tribe from my father, Joseph Stanton. I don't know what my grandfather's name was. I have always lived on the reservation. Father used to vote in the tribe. Moses Stanton was my uncle.

WILLIAM R. SEKATER.—I claim membership from my father. I am Daniel Sekater's brother. I never voted anywhere except at the Indian meetings. Johanna Sekater is my wife. Mary E., Grace E., Alice S., Clarence E., Ann E. and Sarah E. are my children.

MARY SAMPSON, (sworn.)—I lived on the reservation when I was twelve years of age; not since.

WILLIAM R. SEKATER.—She was always considered a member of the tribe, and her mother owns land here.

SARAH WATSON.—Albert Watson was my cousin. He owned a right in this swamp. He has lived away from the reservation a good many years. I don't think he has voted here lately. He is backwards and forwards. He has a daughter that lives in Westerly. He is my aunt's sister's son.

JOSEPHINE WHEELER, (sworn.)—I am connected with the tribe through my mother. Her name was Priscilla Brooks. I never lived on the reservation.

LOUISA WEEDEN, (sworn.)—I am connected with the tribe on my mother's side. Her name was Olive Cross. I never lived on the reservation.

SARAH WEEDEN, (sworn.)—I am connected with the tribe through my great grandmother, who was a queen of the tribe. Also, from my mother. My mother was Eunice Weeden. I don't know what my grandmother's name was. I never lived on the reservation, and have no children. My sister has one child.

IDA WEEDEN, (sworn.)—I live in Kingston. Have one child. It was born May 12th, 1880.

HANNAH BROWN.—The name of Scott Winfield should be Winfield Scott Brown, and George A. Winfield should be George A. Brown. They are my sons.

DANIEL HARRY.—I live in South Kingstown. Have lived there something like thirty years. I never have voted at the meetings of the tribe. My mother owns a tract of land next to Watchaug Pond,

adjoining the Champlin farm. I have been to the reservation a number of times. I have been called twice by the Council to show them bounds which they didn't know. I have nine children. My wife was not a member of the tribe.

CHARLES H. WHEELER, (sworn.)—I am connected with the tribe by my mother. Her name is Eunice Wheeler. I have never lived on the reservation. Was born in North Stonington.

CHARLES E. HARRY, (sworn.)—My father is a member of the Narragansett Tribe. I have never lived on the reservation. I was born in Warwick. Am 20 years of age.

EMELINE W. APES, (sworn.)—I never lived in Charlestown. I am connected with the tribe through my mother. Her name was Mary Ann Jones. She didn't live here, but she owns land here.

MARY H. HOPKINS, (sworn.)—Olive Hull was my mother. Father was Abraham Hull. I claim through my mother and my grandmother. Grandmother Hammond belonged to the tribe. My mother for the last thirty years has lived in Charlestown, and I have been here for the last thirty-five years.

MR. ADAMS.—The list seems to be exhausted. I now have the pleasure of introducing to you, for a few remarks, the Assistant Attorney General of Rhode Island, Samuel P. Colt, Esq.

MR. COLT.—*Mr. Chairman and Members of the Commission, and Members of the Narragansett Tribe of Indians:* I consider myself very fortunate in being present at this meeting to-day. I was invited by the Commission to be here, and, although it was quite difficult for me to do so, yet I consider myself abundantly repaid for the trouble I have taken in coming. The proceedings of this meeting have been unusually interesting to me, and although it was farthest from my mind when I came here to be called upon to say anything, and I have made no preparation so to do, still I feel that I can say a few words to you.

Let me say, in the first place, that the importance of this occasion I think few of us can appreciate. It is not going to end here, but will be recorded in history, and will be a matter of interest that as time goes on will increase. What is it that we are doing here to-day? What is it that this meeting represents? It represents the close of a great and interesting history of a most interesting people. You are here to-day to close your tribal relations—those relations which have existed for so many years. You have sold to the State of Rhode

Island all your common tribal lands and property, and you are here to-day to meet the representatives of the State, and have represented yourselves by your Council—men, although I have never seen them before, with whose appearance and intelligence I have been deeply impressed. And to think that this is the last Council of this tribe, in one sense it is sad ; but it is pleasant when you stop to realize that in giving up what you are you are entering into a new life, having an opportunity to become, and doubtless will become, citizens with all of us of the State of Rhode Island.

The hour is late, and I don't mean to detain you with any long speech, although I suppose I could ramble on for some time. I must, however, say a word about the Commission into whose hands the State has entrusted not only their interests but yours. I have known all of the gentlemen, and two of them I have been associated with for two years in the General Assembly. I know not only that your interest in their hands will be jealously guarded and protected, but that they will give their time, their energy and ability, that justice shall be done between you all, and that each one shall receive his fair proportion of the money that the State is giving you for your common property. But you must realize, at the same time, that they have a very difficult task to perform. Not only the questions of fact, which have come from your testimony in the manner in which it has been done here this morning, but the questions of law which are presented are most difficult questions to determine. And there, let me say, you are exceedingly fortunate in having upon your Commission a lawyer, a young man who I know has personally given great attention and care and study to the legal questions that arise in determining your rights. It seems to me that three men could not be selected into whose hands you could put your interest with a stronger feeling that all that can be done will be done justly and honorably, for your protection.

Thanking you for listening to the few words that I have had to say, and especially for the privilege that I feel in being present here to-day, and assuring you, on behalf of the legal officers of the State, that we will endeavor as far as is in our power to give such advice as is necessary to the Commission, and to see that your interests are protected and that equity is done to you all, I wish you a very happy life hereafter.

MR. CARMICHAEL.—I would remark that this closes the list of names of claimants for the purchase money. A little later the work of the Commission will commence on the lands, and notice will be given that all persons owning individual lands, in regard to which

there are any questions, may appear and explain the situation, when that matter will be determined. The survey is now being made, and until that is completed we can't decide in regard to that matter.

MR. ADAMS.—Well, friends, perhaps some of you don't exactly know the provisions of the law under which we are acting. It goes on with some preliminary matters, and then it says: (Reads from the act.)

Now the next thing in this drama is to file a list of the members of the Narragansett Tribe in the Clerk's office in Kingston. The next term of the Court is within a week or two—too soon to answer the requirements of this law; so that this will be heard next January, I think. When it comes to the Court at Kingston, notice will be given by the Clerk of the Court through newspapers in Providence and Newport and Washington County that said list is there; and if any persons feel aggrieved, they can appear there and present their claims. If they make a good claim, the Court will allow it. After due notice has been given, and the Court has approved of our doings here, the money will be paid to the claimants, probably sometime in January or February. The provisions of the law will not permit this to be carried into the August Court; if it would, we would go there with it in October.

I would say, furthermore, that it has not been necessary for any one to come here more than once. Some have come from curiosity, some from choice, and some because they thought they must. I think our meetings have been very quiet and orderly, and I have enjoyed them very much. I have learned a great deal about this tribe, and we hope to carry the matter through successfully and honorably on our part. The meeting now stands adjourned.

FOURTH MEETING.

On Thursday, October 21st, 1880, the Commissioners met the Indian Council at the Town's Clerk's office in Westerly, for the purpose of determining the proper method of distributing the purchase money, the necessary qualifications of claimants, &c., the Commission desiring to hear the views of the Council in reference to those matters. After a thorough discussion, the views of the Council being expressed orally and by written ballot, the Commission commenced a revision of the list of claimants, about half of the names having been gone over at the time of adjournment. Following is the report of the proceedings:

MR. ADAMS.—The first thing that we desire to-day is to get the opinion of the Council in reference to the division of the \$5,000 ; to ascertain whether you would like to have the money divided among each one, or given to the heads of families. Mr. Ammons, do you think you can express the opinion of the Council.

GIDEON AMMONS.—I should like to have some of the others express their opinion. I can express my own in a very few words. I think it would be the fairest and most judicious way to divide it among the heads of families, in proportion as the families number. I think that would be the fairest way, but I fall back for the others.

MR. CARMICHAEL.—The common idea, as perhaps you gentlemen all understand, and the idea that has been always talked up by the people who haven't much interest in it, was to divide the money equally among all the members of the tribe, including the children. On that point, as I know some of you have expressed an opinion in regard to dividing it, I should like to hear you.

JOSHUA NOKA.—I should like to have your honors settle this—in regard to the length of time. Persons who have been gone ten years, and perhaps never have been here—(interrupted.)

MR. ADAMS.—That is the next point that we will consider.

JOSHUA NOKA.—In regard to the minor children, it seems to me that the parents ought to have the care of the children, and ought to have charge of the money as they have charge of the child. Those that are of age I think ought to have their own money, the same as I would have mine.

MR. CARMICHAEL.—Then I understand that your idea is, after ascertaining who are the members of the tribe, the list being canvassed and corrected as the Commission may think best, to strike a dividend among all, including the minors; to pay to each person who has arrived at twenty-one years of age his own portion, and that portion of the money belonging to persons under twenty-one years of age to be given to the parents.

JOSHUA NOKA.—Yes; that is my idea.

MR. CARMICHAEL.—There was an act before the Assembly in May, which I think passed one branch of the Legislature, directing this Commission to deposit the money belonging to minors in the Rhode Island Hospital Trust Company, at interest. It didn't become a law, but simply indicates the drift of opinion on the subject.

JOSHUA NOKA.—I should object to that.

GIDEON AMMONS.—I should, because I think the State should pay the \$5,000 to the tribe. I have no objection to the money being equally divided.

MR. CARMICHAEL.—There is a little query in the minds of the Commission as to whether anybody could give a legal receipt for the minors.

GIDEON AMMONS.—I don't want more than my part, but I think it would be better if you gave so much to each family.

MR. CARMICHAEL.—I understand that Mr. Ammons differs a little from Mr. Noka in regard to the division of the money. Mr. Ammons wants it divided among families without reference to the number.

GIDEON AMMONS.—No, sir; according to the number.

BENJ. THOMAS.—I think those that are of full age should receive their proportion, and that the proportion belonging to those under age should be given to the parents, or whoever it may be, and let them share that money. It may be that the woman has got a sucking child. That child might draw seven dollars. It is worth more than \$7 to wean him; it is worth more than \$7 to school him; and if they are capable of taking care of their children, let them have the benefit; be-

cause some of them haven't had anything before that, and will have nothing except what they get at that time.

DANIEL SEKATER.—I should prefer to have it divided among the heads of the families. My opinion differs a little from Mr. Noka's. He wants it divided among the heads of families except the shares of those that are twenty-one years of age. I say let it go to the heads of the families.

MR. CARMICHAEL.—We find about five hundred names registered, of which about two hundred and twenty-five are minors. Now you would want it divided among the heads of families, without any reference to the minors?

DANIEL SEKATER.—Yes, sir.

MR. CARMICHAEL.—So that a person like Mr. Ammons, being at the head of a family without any children, would get the same as a family of twenty children?

DANIEL SEKATER.—No, sir; divide it according to the number.

BRISTER MICHEL.—As far as I am concerned, I think it would be as well for every one of age to draw their proportional part, and the share of those that are under age, and under the care of the parent, to go to them for their care.

MR. SHEFFIELD.—And every little child take as much as a man of age, the only question being about the distribution of it?

BRISTER MICHEL.—Yes.

MR. CARMICHAEL.—Then these gentlemen seem to be unanimous about that, as I understand it?

MR. ADAMS.—After the claimants are established, divide 5,000 by the number of claimants; and then if you and your wife have three children, you have five shares. Uncle Gideon has one share, and he has no wife. If you have yourself and wife and two children of age, you have two shares, your two children receipting for themselves.

JOSHUA NOKA.—Yes, sir; those that are of age receipting for themselves.

BENJ. THOMAS.—It looks to me like this: As I understand it, the parent is the natural guardian of the child, subject to the maintaining and supporting of that child. Shouldn't he have something in order to provide for him? Now if we are not careful, and don't care for our families, it is just the same as it is with you folks—if he has a thousand dollars he may spend it as fast as he can, and let somebody else grow fat upon it.

MR. ADAMS.—Now, Mr. Noka, it is a fact that among the tribe, as among the whites, there are illegitimate children. Who would receipt for them?

JOSHUA NOKA.—They would follow the mother.

MR. SHEFFIELD.—Then you would pay the money over to the mother?

JOSHUA NOKA.—Yes, if the child is a minor; if of age, it belongs to himself.

BENJ. THOMAS.—Once there was a woman who married a man living in South Kingstown. He bound out his three children. She got dissatisfied about it, and the father of the present Judge Potter went into that thing. A member of this tribe never has been under the control of any one except the tribe. You couldn't bind out a child that belonged to the tribe, if he never was a slave. Now if a woman belongs to the tribe, and she has got children under age, they are her children, and she would take the money.

MR. ADAMS.—Suppose she don't belong to the tribe?

BENJ. THOMAS.—Then her children wouldn't if they are not married.

MR. CARMICHAEL.—Where illegitimate children are found, and the mother is a member of the tribe, the money should go to her, and she should receipt for the money?

BENJ. THOMAS.—Yes.

MR. CARMICHAEL.—And if we find a family where the mother is not a member of the tribe, and the father is, your idea is that they are not entitled to any money?

BENJ. THOMAS.—I will say as King Paul did: "Read the law." The father controls the family when he is one of the members of our tribe.

GIDEON AMMONS.—The old records in 1792 state that if the husband wasn't married to the wife the children couldn't have any of his property. That has been the custom ever since. If he lived with a woman the same as he formerly did, and wasn't married according to the English style or the American style, his children couldn't inherit his property after him. That has been the custom in our tribe. If they are married, the child inherits the avails if he lives, but his wife has no claim to the property if she is married. If they belong to the tribe on both sides, the children can draw from the father and mother, but the wife can't draw the husband's part.

BENJAMIN THOMAS.—The consideration with our tribe was the pedigree, which should be this: It should be inherited by the blood, and the blood shouldn't be mixed,—nothing but the clear blood. They call me black. I am not so black, but I am three-quarters of everything but Indian.

MR. CARMICHAEL.—Well, it seems to me that the council are agreed as to the general course of this thing.

MR. ADAMS.—I don't see any difference between them. The next question is in reference to claimants—whether there shall be some limit of time during which they have participated with the tribe?

GIDEON AMMONS.—Those that went to Wisconsin and other places, if they came back within ten years and a day, they could lease their land again; but if they didn't, it fell back to the tribe. Their pedigree might be all right, but their claims were gone if they didn't return in ten years and a day.

BENJAMIN THOMAS.—There are any quantity in Wisconsin. One of them came to my house to find out where his land was. He never was in the town before. We mustn't let them in. The door must be shut.

GIDEON AMMONS.—I think the door can be shut with the regulation of ten years.

BENJAMIN THOMAS.—The idea was simply to give them the advantage of ten year's start. We never knew of but one to come back, and that was the O'Brien case.

MR. ADAMS.—You say they leased their lands, and if they didn't come back within the time the land went back to the tribe?

BENJAMIN THOMAS.—Yes; that was the tribal rule. There was nothing in the regulations specific about that.

BRISTER MICHEL.—I think seven years is plenty long enough.

DANIEL SEKATER.—I think it ought to be ten years.

JOSHUA NOKA.—I think seven years is plenty long enough.

GIDEON AMMONS.—I think ten years would be better.

BENJAMIN THOMAS.—Ten years was the regulation, but I suppose we ought to do now just as much like white folks as we can.

MR. SHEFFIELD.—I should think if a man gave out his intention of going to Wisconsin to settle, that one day would be enough. If a man should sell all his property, and announce that he is going to leave, and has no intention of coming back to the tribe, and should

go to-morrow and take everything with him; under those circumstances, would you not say that he had ceased to be a member of the tribe?

BENJAMIN THOMAS.—He goes through the same as Thomas Cummock did. When he sold out his right and title, what did he become? He became justice of the peace and postmaster. He left a lot of young ones out there, and they are liable to come back and look after this \$5,000.

MR. SAMUEL CROSS.—Couldn't a man that had sold out go into Indian meeting and vote?

BENJAMIN THOMAS.—We have indulged in most anything. I had a Portugee come from a vessel and vote against me, but what could I do about it?

MR. CARMICHAEL.—Suppose you gentlemen sit down by yourselves a few minutes and agree upon something?

BENJAMIN THOMAS.—I am agreed now, but I don't want too long limitation.

MR. CARMICHAEL.—We wish to settle this thing as soon as possible, according to the wishes of the tribe and the members of the Council.

GIDEON AMMONS.—I should go for ten years—nothing under and nothing over—because I understand that this Council has got to manage the affairs according to our former usages and customs.

BENJ. THOMAS.—There has been no former custom about it. There has been but three leases given in my time of that kind. The last was so long ago that Brister, who is fifty years old, can't remember it. That was the last lease of that kind. Just as soon as the Council saw that this was bringing them into a snare that they couldn't get out of, they objected to leasing. Then we began a four years lease. That was about forty years ago. You can't find one over forty years old. Moses Stanton said if they had a right to lease four years they could lease four years more. The object of that was to beat Mr. Jim Kenyon out of Fort Neck. I was there at the time the lease was made, and Ross and Sekater voted against Moses. It was shingled over in this way: They three made a lease independent of the other two. Three was a majority out of five. Moses leased that to Joe, and then Joe signed a lease back to Moses; then Kenyon sued for possession of the property. They leased this land back and forth, and then Moses put these laps on. At the end of the twelve years I came into the Council, and we couldn't collect the rents of Moses.

He was fixing to go to Wisconsin. Frank Palmer was President of the Council, with Michel, Thomas, Cone and Wilcox. I told them we couldn't collect the rents, and said "let's have the thing in advance." That is the way the thing commenced.

GIDEON AMMONS.—In 1827 my father was clerk of the Indian Council, and he said it was the custom of the tribe, if any persons wanted to migrate, for them to make a lease for ten years and a day; and in that lease it was expressed that if the individual that leased his land returned in that time, he could lease it again. They leased the land to get money to help them away, and if they didn't return the land went back to the tribe. But our leases right around the town are not more than four years. We lease for a year or half a year. If any one wanted to hire a pasture for the summer, we could lease it to them for six months as well as for a year. When a person says he is going to migrate to Green Bay or Wisconsin, he can let his land to any one that will pay him the money. I never have heard any other rule than that for those that wanted to migrate, and if they didn't return everything was forfeited to the tribe.

MR. CARMICHAEL.—You considered that they were no longer members of the tribe?

GIDEON AMMONS.—Yes, sir.

MR. ADAMS.—Well, gentlemen, what disposition will you make of this?

MR. SHEFFIELD.—It seems to me, gentlemen, that it is a question of fact for each case. It seems to me that in certain cases where members have done certain things, from what they have said and done you may consider them as having abandoned the tribe after a week or a month. There are others that even after ten years have kept up their intercourse with you, and are still members of the tribe. Mr. Elisha Potter, in a report of his, has indicated twenty years, which seems to me rather long. It seems to me that we should take up each case, but that in most cases within seven years there would be a presumption that they had given up all interest in their tribal lands and gone off,—and certainly ten years would be a strong presumption, I should think.

BENJ. THOMAS.—I think the common law ought to have something to do with this.

MR. CARMICHAEL.—Suppose we agree upon seven years or ten years as being the limit at which it shall be considered *prima facie*

evidence that a person has abandoned his connection with the tribe. Not that it is necessary to be gone ten years, but that ten years absence shall be considered *prima facie* evidence that they have given up their claims.

BENJ. THOMAS.—When a man has sold his rights and land, and deeded them away, and put us to a great deal of trouble, that ought to settle it.

MR. CARMICHAEL.—That is what Mr. Sheffield suggests.

GIDEON AMMONS.—I wouldn't go for anything over than ten years. Make it as much less as you want to.

(Mr. Sheffield read the opinion of the Attorney General in reference to the abandonment of the tribal relations, and the members of the Council expressed their opinion as coinciding with his.)

MR. SHEFFIELD.—This seems to me to embody what the Attorney General means by long absence from the tribe: "It is considered that a voluntary absence of ten years shall be considered as *prima facie* evidence as an abandonment of his tribal relations, unless there are other circumstances that would take it out of that rule."

(A vote of the Council was taken upon the proposition of a ten year limit, which stood four in favor of ten years and one in favor of seven years from the passage of the act. The vote was afterwards made unanimous in favor of ten years, as expressed in the following:

Voted by the Indian Council that a voluntary absence of ten years shall be accepted as *prima facie* evidence of an abandonment of their tribal relations, and that circumstances might make the time much less.)

The work was then commenced of revising the list of claimants, which was partly completed at the time of adjournment. The Commission adjourned to Wednesday, October 27th, 1880, to meet at Carolina.

FIFTH MEETING.

On Wednesday, October 27th, the Commission met the Indian Council at Carolina, and proceeded with the revision of the list of claimants. After examining all the names, and noting those of doubtful standing, the Commission adjourned till Saturday, November 6th, 1880, to hear further testimony in reference to certain claimants.

SIXTH MEETING.

The Commission met at Carolina on Saturday, November 6th, 1880, at 8.30 A. M., to hear testimony in reference to doubtful claimants, circulars having been sent by the Commission to various persons to appear on that day before the Commission, or send an affidavit containing answers to certain questions contained in the circulars. The list of doubtful names was read in the presence of the Council and those of the tribe present, and testimony was taken in reference to certain persons. Following is the report:

FRANCIS COOPER, SWORN.

Q. (By Mr. Adams.) When were you last on the reservation?

A. I have been there once since the last meeting.

Q. Previous to that?

A. I had been there since 1870, I guess, seven or eight times. I have come to get rents and see about the land, but to no advantage. Yes, I did receive two dollars.

Q. Has there ever been any dispute about your being a member of the tribe?

A. I never heard anything about being a member of the tribe at all. I had hard work to become a member. I had been coming here for thirty years straight along. Tobey Ross was in when I first started. He was a second cousin to my father. He said "you can't do anything here." They wouldn't let father in here to live, because they said he didn't belong to the tribe. When we tried to come, they tried to discourage us, and said it was not worth anything; and they knew better. I have been coming here for about thirty years. I came, I guess, as much as six or eight times and found nobody. I inquired for the Harrys, and they said there was none here, as they had all gone off; and they didn't have anything for me each time that I came, until about thirteen or fourteen years ago I came to Charlestown and found some friends here in Carolina, and they told me where to go; and from there we found the Commissioners. They were some time in making us heirs. They said when I got three living witnesses that knew anything about our family, I could have it. I got them, and then we were detained a year or two longer, and then they said we couldn't have it unless we went before the oldest Indian woman that was in Charlestown. They took it before Hannah Rodman, and she happened to know my father; and we were made heirs. They claimed us as heirs, but we were not to be in full possession until the next spring. They were cutting wood to pay up for my uncle Daniel Brooks' death.

Q. Were you ever admitted as a member of the tribe?

A. The paper makes it so, don't it,—in 1870.

Q. Have you the paper with you?

A. (Produces the paper.) Mary Rodman told who my father was, and then they made us members.

Q. This land was set off for you?

A. They never would set off anything. I have had letters to come here and have my land set off.

BENJ. THOMAS.—The old method of giving deeds was to go through a certain ceremony, using herbs, &c., and if that was not gone through with it would not stand the county court. No such ceremony was gone through with in her case.

BRISTER MICHEL.—At that time I was not President of the Council, but this lady came with a gentleman, and I went and called the Council. I was Vice-President. Finally, Mary Rodman gave a statement concerning this lady's grandmother. But we couldn't put her in possession of any land, because at that time it was held in possession of the Council for the death of Daniel Jaques.

MR. CARMICHAEL.—The question is whether you considered her a member of the tribe.

BRISTER MICHEL.—It was considered so by the proof we had at that time. Since then she has been here frequently. We didn't make a record of it, because we didn't go through the performance to put her in possession of the land.

AMY JACKSON, CALLED.

Q. (By Mr. Adams.) When were you here last, previous to these meetings?

A. I haven't been here since my master carried me down to Narragansett.

Q. A dozen or twenty years?

A. Yes, sir; more than that.

Q. Do you own land here?

A. My mother owned the old homestead, and they put me out to work. I was brought up with Ben. Hazard's sister at Newport.

Q. How long do you think it was since you were here?

A. More than twenty years. I worked in the Providence depot fifteen years, and never came out of it. Ellen Harry, Jim Hazard's daughter, gave me all her property in the Narragansett Tribe.

Q. Simply gave you her word of mouth?

A. Yes.

Q. Did you get a circular yesterday?

A. Yes. I came yesterday noon.

(Mr. Cone thinks Daniel Noka has not been in the habit of coming to the reservation. Betsey Hankins knows nothing about Betsey Olney, although she is her relation. Betsey Olney is the sister of Amos Brewster.

CHARLES ANTONY, CALLED.

Q. (By Mr. Adams.) When were you here last?

A. Four or five years ago.

Q. What meeting?

A. I think it was the March meeting.

Q. (By Mr. Sheffield.) What did you do while you were here at the last meeting, previous to these meetings?

A. I voted in the Indian style for President.

Q. When was that?

A. At the last meeting that I did vote at.

Q. When was that?

A. That probably was some ten years ago.

Q. Been living in Providence since?

A. Boston, mostly; Providence some. I have had charge of some land here, and had a power of attorney. My mother was Charlotte Daniels.

Q. (By Mr. Carmichael.) Have you been in the habit of coming here occasionally?

A. Yes, sir.

Q. (By Joshua Noka.) Was it the time that you and Ben had some trouble?

A. I guess that was the time; about ten years ago.

JOSHUA NOKA.—It was more than ten.

MR. ADAMS.—This finishes the purging of the list of claimants. The Commission have not fully made up their minds in reference to some of the names, but will very soon. As soon as the survey of the land is completed, which, I understand, will be very soon, public notice will be given, through the papers and otherwise, of a meeting in reference to disputed titles.

In addition to the testimony taken at this meeting, there was considerable general talk in reference to names on the doubtful list, not exactly in the form of testimony. In accordance with the circular sent by the Commission, several preferred to send an affidavit, and accordingly were not present at the meeting.

Adjourned.

AFFIDAVITS.

In accordance with a notice sent to members of the tribe whose names were on the doubtful list, a number of affidavits were received, the following being the substance:

BETSEY A. OLNEY.—Wife of Giles Olney of South Kingstown; age 40; has been at the reservation many times during the past ten years, to attend the meetings and look after her lands, none of which land she has sold.

DANIEL HARRY.—Resides at Rocky Brook, in South Kingstown; was at the reservation about ten or twelve years ago, at the request of the Indian Council, who desired information in relation to a partition line between the Indian lands and land of George Burdick; has not

been to the reservation since that time on any business connected with the tribe; visited the reservation with his wife about two years ago; owns by inheritance an undivided third part of three parcels of land in Charlestown, and has never sold any interest in said land.

ABBIE J. PECKHAM.—Lives in Norwich; is the daughter of Simeon Niles, and granddaughter of Abby Niles, both being members of the Narragansett Tribe; was at the reservation last in 1875; her object in visiting the reservation at that time was to show people that she was alive, as it had been currently reported that she was dead; owns individual land at the reservation, and has never sold any part thereof.

LOUISA WEEDEN.—Was last at the reservation in 1878; has been there five or six times within the last ten years; went on business concerning her land, and was not at the March meetings; has not sold any of her interest in her private land.

ROSELLA S. WATSON.—Was at the reservation last in 1879; has attended during the last ten years as often as once a year; went on business connected with the Indian affairs, and was not at the March meeting, owns individual lands, and has not sold her interest.

CHARLES O. CARPENTER.—Lives in Norwich; age 32; was at the reservation twice in June, 1880, those being the only times that he visited it within ten years, he at that time attending the two meetings that were held there.

EMMA J. BRODARD.—Daughter of Thomas A. Watson; is sister to Charles T. Watson and Sarah E. Watson; has not been to the reservation but once in ten years, and that was at a meeting in 1880 to present her claim as a member of the tribe; owns land at the reservation, and has not sold any interest in it.

PRINCE ROBINSON.—Age 63; mother's maiden name was Abigail Babcock; formerly visited the reservation occasionally; has not attended the annual meeting within ten years; owned lands at the reservation, but has sold the greater part thereof; has always been recognized by the tribe; did not attend the annual meeting in March, 1880; is the husband of Sarah A. Robinson, whose maiden name was Sarah A. Hazard, and who was born on the reservation. Sarah A. has frequently visited the reservation; her father was James Hazard, who for several years was President of the Indian Council; within the last ten years Sarah has several times attended the yearly meeting, and owns lands at the reservation.

SALOME ROBINSON.—Age 41; was at the August meeting in 1880, and has been at the reservation some five or six times within the past ten years; has never been at the March meeting; she owns individual lands in Charlestown, and never has sold her interest in the same.

WILLIAM F. ROBINSON.—Was at the reservation this fall, and has been there as often as twice a year during the past ten years; went to look after his interests, and generally returned home the same day; doesn't remember of voting for the Indian Council at the last March meeting; doesn't own land at the reservation, but his parents do; resides at Kingston.

HENRY A. ROSS.—Age 27; it is as much as eight years since he was at the reservation, before the meeting at which he registered his name; has been to the reservation twice within ten years certainly; owns land through his mother, and has not sold any; at the times he visited the reservation, it was to see about his land; has never attended March or August meetings, and never voted with the tribe; resides in Providence.

ABBIE R. SMITH.—Has attended August meetings regularly until about eight years ago, which was the last time; thinks she has been there within ten years, the last time being to August meeting; owns land at the reservation.

JAMES CONE.—Was at the reservation about seven or eight years ago on a visit, but has never attended the meetings, and never voted for the Council; his mother owns land at the reservation.

AMOS BREWSTER.—Came to Providence in 1872, and has not been to the reservation since; is not sure whether he was there in 1872, but was there the year before to August meeting; never voted for members of the Council; thinks he has land there that came through his grandmother; went to see about his land last June, but made up his mind he wouldn't get much out of it, and hasn't been there since; would like to attend the meetings every year, but can't afford it; was at the reservation two or three times just before he came to Providence to live.

EDWARD NOKA.—Age 59; born in South Kingstown; lives in Providence; lived in Charlestown until he was about five or six years old, and his homestead was within a mile and a half of Richmond switch; is the son of Sam. Noka; was at the reservation last year to a Council meeting in reference to his land. The Council recognized his claim, but wanted to eat it all up. Was at the reservation the year before,

looking after his land, but don't think he has been there more than twice within the past ten years; voted years ago for Members of the Council; didn't think it amounted to much; it was more like boys' play than anything else, and he was disgusted with it, and told the Council so at the time he was there to look after his land.

THOMAS H. CREIGHTON.—Was born in Providence and lives in Providence; never lived anywhere else; has visited with his mother at her sister's on the reservation; has been there within ten years, but not more than once; has never voted there; his mother owns individual lands.

MARY E. PECKHAM.—Was at the reservation five years ago, to see the man that lived on her place; she owns land there, and never has sold any of it; never could get it fully, to sell it; never has attended any of the August meetings; never was at the reservation until four years and a half ago, and three times this past summer; her sister, Francis Cooper, has generally attended to the land business; wouldn't live among those heathen under any consideration.

SARAH E. BROWN.—Age 38; has not been to the meetings since two or three years ago; occasionally attended before that; has been to August meetings three times within ten years sure; mother and grandmother own land at Charlestown; is the daughter of Mary E. Gardner.

The first public meeting in reference to the land was held on Wednesday, January 5th, 1881, at the Indian Meeting House. About seventy-five persons were present, including several women, and an informal hearing was had in reference to boundaries and disputed claims. Before adjourning, the case of Francis Cooper, who was represented by Franklin H. Brown, Esq., of Norwich, Ct., was heard by the Commission, as follows:

MR. BROWN.—*Gentlemen of the Commission*: I represent Mrs. Francis Cooper, and also the Peckhams of Norwich. Perhaps I need not call all their names. I see that most of them are on the list of those whose claims are to be passed upon as members of the tribe. Ruth Peckham, Mary E., Abbie J., Lewis and Thomas Peckham. Abbie J. is now a Niles. I might perhaps now ask the Commission if these are considered members of the tribe?

MR. ADAMS.—I presume so. The report is not yet handed to the Court. We couldn't hear you upon that now.

MR. BROWN.—The claim is that these Peckhams are the descend-

ants of Ninigret, and their claim is to the Ninigret lands of the public land. They are described and set forth in a deed which Ninigret, Chief Sachem of the Narragansett country, made. Now the foundation of our claim is this: Perhaps it is not necessary for me to trace the line of descent from the King down to Deacon Daniel Harry Ninigret, for that is established. If it is not established, I would ask the Commission an opportunity of doing that.

MR. ADAMS.—I don't think it has been established here.

MR. BROWN.—I supposed it was a matter of record, and not disputed, as to Deacon Daniel Harry being a lineal descendant of the old king. Deacon Daniel Harry Ninigret had only two children, and these were named Betsy and Hannah. The name of Ninigret was dropped, and only Harry was retained. Hannah Harry married a negro by the name of Cuff Peckham, by whom she had two boys—James and George C. Peckham. This Cuff Peckham, as we can establish by the records, put his boy George C. with a man by the name of Peckham to work, and the other to a man by the name of Hoxie, in Rhode Island. Cuff Peckham died. He was the father of the present claimants. His wife then married a man by the name of Brooks, and bore two children—a boy and a girl. The girl was named Sallie Brooks, and the boy Daniel Brooks or Jaques. These facts were obtained from Sallie Brooks. They were given to the present claimants before she died. The date was 1852 when these statements were given by her. These facts were given to the present claimants. She especially requested at that time, residing at that time as she did at Mohegan, that they should call on her, and receive from her, as far as she was able, all the interest and claim and title that she had to any lands of Ninigret, which she did not give by deed, but said, "I give my share of the Harry land, and all my share to the Brooks land, to the Peckhams." That was her statement. We had no deed to show this. It was written down by Mrs. Francis Cooper.

Now these Brooks children—a boy and a girl, if I am rightly informed, are both dead. If that is true, there can be no claimants under the Brooks name claiming direct from Ninigret.

Now we haven't said anything about Betsey, who was the heir of Deacon Daniel Harry. As far as we have been able to gather, she left as heirs Christopher, Daniel, Augustus and Millie, Eliza Stanton and Elizabeth Primos; and these are all the heirs, as far as we know, besides the Peckhams, if they are living. These are all the heirs that we know to this land.

Now it seems to me, gentlemen of the Commission, that if the claim that we make here is established, as these parties are admitted to be members of the tribe, and we have shown here clearly the line of descent, our claim to the land of Ninigret must have some foundation. If further evidence is required, we would respectfully ask more time to procure it. It is considerable trouble, as you gentlemen of the Commission know, for the parties living in Norwich to attend these meetings, and especially under the circumstances of coming here to-day. There must be some strong motive, and something more than a simple desire to usurp anything, to get people to come down here. That is the claim as I would present it before the Commission.

MR. SHEFFIELD.—Even if she was a descendant of the king, under the repeated acts of the Legislature there might be a question whether the king could hold the land.

MR. BROWN.—I am not familiar with the Rhode Island laws in regard to this point. What is the nature of these acts?

MR. SHEFFIELD.—The acts of the Legislature of Rhode Island have always regarded this land as vested in the tribe as a tribe—the whole land, since the revolution; and even the kings, I think, have no more title than other members of the tribe.

MR. BROWN.—In this case, it seems to me that the land that was especially reserved by Ninigret for the use of himself and his heirs forever should be, and I think was held by the heirs until they were supposed to be extinct. I think the question has not been raised before.

MR. SHEFFIELD.—I think the repeated acts of the Legislature consider it as vested in the tribe.

MR. BROWN.—That we are too late now to raise the question.

MR. ADAMS.—Would you like to say a word, Mrs. Cooper?

[Mr. Brown reads the deposition of Gorton Berry, of Norwich, Ct., as follows:

“ STATE OF CONNECTICUT, }
COUNTY OF NEW LONDON. }

NORWICH, January 4th, 1881.

Personally appeared before me, a Notary Public in and for said County and State, Gorton Berry, aged sixty-nine years, a resident of Norwich aforesaid, who, being duly sworn according to law, on his oath says that he was born in and resided in the town of Westerly, R. I., until about sixteen years from the present time; that I am well acquainted in Charlestown, and with many of the Narragansett Tribe of Indians; from my knowledge of the tribe and its members, I can say that the Brooks and the Harrys are all of our family and blood, the differ-

MR. BROWN.—You have been trying for a number of years to get this matter presented?

MRS. COOPER.—I have been trying for thirty years to get what belonged to me.

MR. BROWN.—And to establish your heirship to these lands?

MRS. COOPER.—Yes, sir.

MR. ADAMS.—Your claims were presented to the Indian Council from time to time?

MRS. COOPER.—Yes, sir; when they met. They didn't meet but twice a year. They were to meet on Monday.

MR. BROWN.—Tell the Commission about Mr. Thomas.

MRS. COOPER.—He said I wasn't a legal heir because I hadn't been turfed and twigged. We appointed a time for that, and they agreed to turn out on Monday morning. On Monday morning we were here, and somebody said that they had turned out; but we found that they hadn't turned out. We went to Mr. Champlin, and asked him if he wouldn't see the Committee together. I think he went around to several places; I know he did. He said that they would turn out Tuesday. Tuesday they said they couldn't turn out till Wednesday, and Wednesday they said they couldn't turn out till Thursday. We said we would stay until they did turn out.

MR. ADAMS.—Who were the members of the Council at that time?

MRS. COOPER.—They are on the paper that I have handed you. Mr. Michel was, and Orthniol Wilcox and Joseph Stanton.

MR. SHEFFIELD.—That was in reference to private lands?

MRS. COOPER.—It was in reference to what belonged to us.

MR. SHEFFIELD.—Don't you claim a particular portion of this land?

MRS. COOPER.—I had the records looked up, some fifteen or twenty years ago, at Squire Potter's at Kingston Hill. I signed my name "Cooper" instead of signing it "Peckham." They wrote back to me that there was no such lands there. Then I wrote back that my name was Peckham, and they told me that I must trace it back, and I told them I was looking for the Harry land. I told them who my grandfather was. They looked it up, and said those lands were there. They said there had been a piece set off to a man named James Peckham, but that he had died some time ago. I wrote back that James Peckham was alive, and was my uncle; and that John Peckham was clear African blood, and had no lands whatever.

MR. ADAMS.—Mr. Brown, do you claim the whole reservation?

MRS. COOPER.—No, sir.

MR. BROWN.—If those are the Ninigret lands, we claim them.

MR. ADAMS.—Do you claim any individual land?

MRS. COOPER.—No individual land at all except what you have got on the public land. I said half of the Harry Ninigret and the Brooks land.

MR. ADAMS.—Under the supposition that it was Ninigret's formerly.

MR. BROWN.—Yes.

MR. ADAMS.—If he didn't vest a fee, then it is all public.

MR. BROWN.—Yes.

MR. ADAMS.—And if he did vest the fee in these different persons, they own it in private.

MR. BROWN.—Yes.

MRS. COOPER.—But he says if it goes in any other way, except to himself and his heirs, it shall go to the Governor.

MR. ADAMS.—Then they couldn't sell without permission of the Governor?

MR. BROWN.—No. If that is the case, what there is left of this would belong to these heirs, if they establish the claim.

MR. SHEFFIELD.—There would be a question whether Ninigret had any absolute title.

MR. BROWN.—Was not a good deal of the public land Ninigret land?

MR. SHEFFIELD.—Both public and private lands, as I understood it, were the Ninigret lands, and he set off part of this public land to private individuals under the authority of the State. All he reserved was the mere right of selling, and the fee is vested in the State.

MR. BROWN.—When the State obtained possession of it then they gave titles?

MR. SHEFFIELD.—Ninigret only represented it for the time being as a corporation. The fee was vested in the Narragansett Tribe of Indians. Ninigret was the head of the corporation, as it was. He gave the Council authority to convey, and the Council have exercised that right. The absolute title of the land was in the State. That is the view of the Supreme Court of the United States, I believe.

MR. BROWN.—In regard to this individual land, there is some, is there not?

MRS. COOPER.—We have got no land except what I am speaking of. My mother says that our lands go way up north, and come down, taking in the old swamp, down by Watchaug, down by the old post road, clear to the salt water pond, around the beach and down, and up here again. That was father's land.

Adjourned till Friday, January 7th, 1881, at 9 o'clock, A. M., to meet at Hoxie's Hall at Shannock Mills.

The second meeting in reference to the land was held on Friday, January 7th, 1881, at Hoxie's Hall, Shannock Mills. Not so many were present as at the first meeting, the attendants being mostly persons directly interested in the proceedings. The conversation was mostly informal, only two or three cases being examined where testimony was necessary. The first important case was in reference to the Deacon lot, claimed by Joseph Stanton, Jr. Testimony was taken as follows:

JOSEPH BENT, SWORN.

Q. (By Mr. Sheffield.) What is your name?

A. Joseph Bent.

Q. Do you know this Mary Deacon land?

A. Yes, sir; I have the care of it. My grandmother got quite old and couldn't attend to it herself, and I had to come down and attend to it.

Q. Where does it lie?

A. It joins the Noka land.

Q. Does it run near the road?

A. The road comes down from the Indian meeting-house—the road that goes to Carolina Mills.

Q. It comes to the Carpenter heirs on the other side?

A. Yes, sir.

Q. Do you know who it was set off to?

A. No. It was set off in my grandmother's days. My grandfather built a wall there, and it has all grown up since.

Q. Did you always claim it?

A. Yes.

Q. What have you done on the land?

A. Cut wood and sold it.

- Q. Ever been any dispute about it?
A. No, sir; not to me.
Q. You claim it as heir?
A. Yes, sir. I sold some twenty or thirty cord of wood last year.
Q. What kind of wood was it?
A. Oak wood. There is some cut there now.
Q. You claim it as heir to whom?
A. On my grandmother's side.
Q. Who was she?
A. Nannie Stanton.
Q. (By Joshua Noka.) Where is the evidence?
A. My grandmother gave it up to me.
Q. She said it was set off; but your knowledge don't extend to that?
A. No.
Q. Have you ever known anything about the Hopkins's chopping there, or anybody?
A. I have seen them there sometimes. They did come in there, I believe, and cut some, and I carried it off. My grandmother used to tell me to go down and see who was on it. Moses Stanton had gone to Wisconsin, and there was nobody to see to it but me.
Q. There was never any record or paper setting that off to her that you knew of?
A. I suppose there was records.
Q. (By Mr. Sheffield.) Are there any other heirs to it?
A. Yes, sir; there are several.
Q. Who are they?
A. There is Joseph Stanton. It never has been divided between Moses Stanton. I believe John Michel owned part of this same land.
Q. Was it set off to your grandmother?
A. I couldn't tell you about that. I suppose it was.
Q. You have always occupied it?
A. Yes, sir.
Q. Did the Council ever interfere with you?
A. No, sir; never. They never said a word to me about it.

JOSEPH STANTON, SWORN.

- Q. (By Mr. Sheffield.) What is your name?
A. Joseph Stanton,

Q. Do you know this lot of land that they are talking about—the Mary Deacon lot, it is called?

A. Yes, sir.

Q. What are the boundaries of it?

A. On the road that runs from the meeting-house to the four corners.

Q. Are there any definite boundaries of the lot?

A. I don't know. I believe there are.

Q. Do you know when the land was laid out?

A. No; I don't know.

Q. Who was it claimed to be laid out to?

A. My grandmother.

Q. You are one of her heirs?

A. Yes, sir.

Q. Have you always occupied the land?

A. Yes, sir.

Q. And improved it?

A. Yes, sir.

Q. What have you done towards improving it?

A. I have chopped wood on it, and seen to it.

Q. Has it ever been disputed, or have other people chopped wood on it?

A. No, sir; not as I know of.

Q. (By Joshua Noka.) Did you ever hear any old people that knew anything about the setting off of this land to your grandmother Nannie Stanton? Did you ever hear of any one saying that it was set off to her?

A. Only what my father said. That is all.

Q. (By Gideon Ammons.) Don't you recollect the time that the Council cited your father to come to prove his title?

A. No, sir.

MR. AMMONS.—He didn't come to the Council, and we supposed the reason he didn't come was that he had no title to prove.

Q. (By Mr. Adams.) Is that all that you know about this matter?

A. Yes, sir.

Q. Anybody that you wish to call in support of your claim?

A. Mr. Michel, I guess, knows something about it.

Q. Brister Michel?

A. Yes, sir.

Q. You have occupied the land?

A. Yes, sir.

Q. Have you ever been disturbed?

A. No, sir; I have not.

Q. How many acres do you suppose you have in your claim?

A. I don't know how many acres there are in it.

Q. A dozen, or fifteen, or twenty?

A. Yes, sir; I guess that, and more.

Q. Could you go around it if you were there?

A. Yes, sir.

Q. And go round the corners and find the bounds?

A. Yes, sir; I think I can. I don't know as I can find them all.

Q. You wish to call Mr. Michel?

A. Yes, sir.

BRISTER MICHEL, SWORN.

Q. (By Mr. Sheffield.) Do you know this land that has been testified about?

A. I know a spot of land on the south side of the road that goes out towards Moses Stanton's that is called the Mary Deacon plain. As to the bigness of it, or the boundaries, I don't know.

Q. Are there any definite boundaries at all?

A. I don't know about that.

Q. Are there any visible that you ever saw there?

A. No, sir; only the line between Nancy Noka where she joins with me. That northwest corner is called the northwest corner of the Deacon field. Uncle Joe and the family cut wood there, and my father, when he lived here at old Burton's Mill, when I was a boy eighteen or twenty years old, used to cut wood there and cart it, and other people have cut wood there. It is a great tract of land that has been cut all over. They call it the common. I had hard work to get wood enough on there to pay me for getting my wood to the school-house. About all you can find is sprouts and old limbs and brush there for pretty near a mile.

Q. How big a chunk is it?

A. Well, sir, I should think that the Harry land and the Coies land from north to south was a mile and a quarter in length, and I should think, probably, it would vary from half a mile to a quarter in width.

Q. Did you ever hear of this land being set off to anybody?

A. No other ones except what I have heard Mr. Bent say. I have heard no one else—no old people.

Q. Has it ever been set off while you were a member of the Council?

A. No, sir; it has not been set off to any one that I remember.

Q. Have the Council, while you have been a member, ever recognized them as owning it?

A. No, sir; not that I remember. They let them always cut there, and others have cut there. I was on there about twenty-five years ago, and Dudley Hopkins cut some pine wood there. It was the first year I was in the Council. He cut the wood on the north end of the Mary Deacon plain, and the Council went and carried it off and sold it.

Q. (By Joshua Noka.) When the Council gave you permission to get your pay, did any one raise any objection to your taking your wood from there?

A. No, sir; they did not.

BENJAMIN THOMAS, SWORN.

Q. (By Mr. Sheffield.) Do you know this lot of land called the Mary Deacon lot?

A. Yes; and I know pretty well where it is bounded.

Q. How is it bounded?

A. There is a little old wall on the south side that runs through the brush, and it is bounded by Anstrus Noka's land, and it comes out near where we drove the stub. Probably, the Mary Deacon lot of itself would be about seventeen acres, it wouldn't be much more than that. I want to make a statement. When Moses went to Wisconsin, he directed this lot to George Stanton to sell, and he agreed to buy it. Deacon Noka was President of the Council. I was one of the Council, and he called them together. He called George Stanton, and he came before the Council and made the objection that it was Coies' land, and he had no right to sell it. When Moses went to Wisconsin he sold everything he could, and took it with him. If he could have sold that lot, wouldn't he have sold it and carried the money away with him? He couldn't sell it because the Council made this objection. And ever since then, more or less, the Council have been there and cut wood for the meeting-house and school-house. I have carted it several winters. If I saw anybody on there cutting I said nothing, because I supposed it was common, the same as the other Indian land.

Q. (By Joshua Noka.) I would ask you if you ever heard any old people say that it was ever set off to the Stanton family?

A. It was set off in this direction: Dick Potter died there, and they took care of him, and after his death they had it; and it was left just so, and the Council never altered it. I would like to have Daniel Harry say a word about it. He was a Councilman about that time, and, probably, knows about it.

DANIEL HARRY, SWORN.

Q. (By Mr. Sheffield.) Do you know this Mary Deacon lot?

A. I know where it was, but I wasn't much acquainted with it.

Q. You were a member of the Council for some time back?

A. Yes, sir.

Q. Did you ever hear of any setting off of the land?

A. No, sir.

Q. Did you ever hear that it had been set off?

A. I don't know that I ever heard that it was ever set off. I know that Moses Stanton's folks used to cut wood off of there. It used to be called the tribal land; I don't know where—perhaps, farther down. That Mary Deacon lot I never knew much about, but it never was set off that I know of.

Q. (By Mr. Adams.) How many acres should you think there would be in that piece of land?

A. I don't know.

Q. A dozen?

A. I never knew much about it. I have been on it. I never knew how many acres there was.

Q. Did you ever interfere with anybody going there, as Councilman?

A. No, sir. They used to go there and cut wood just about as they were a mind to. I always calculated it to be counted as tribal land, and any one went and cut wood that wanted to.

MR. SHEFFIELD.—Are you familiar with this land, Mr. Noka?

JOSHUA NOKA.—No, sir; I am not very familiar with it.

GIDEON AMMONS, SWORN.

Q. (By Mr. Sheffield.) Mr. Ammons, do you know anything about this lot?

A. All that I know about this land is, that when Dr. Joseph Griffin was making an estimate of the public land in the town, he had the Council together, and Mr. Joseph Stanton, the father of this man, was one of the Council. Well, when they came around to the Mary Deacon land, we said that there was no heirs to it, and, says he, "there is one." Said I, "who is that?" He says, "it is me." Well, I asked him in what way. I didn't know that he was any relation to Dick Potter, and he said how that Dick Potter gave it to him. That looked like a kind of impossibility to me, because the tribe can't give their land out of the line of the blood.

Q. It has been the custom of the tribe that land goes from father to son, or down by descent?

A. Yes, sir.

Q. And when heirs fail, it goes back to the tribe?

A. Yes, sir.

Q. And it can't be given away at all?

A. No, sir; can't be given away at all, unless it is by an act of the Legislature allowing them to dispose of it, and they saw fit to make a will. Otherwise they could not.

Q. Without permission?

A. Without permission of the Legislature. Well, he said that he claimed to be the owner. Well, we let it pass. Some seven or eight years afterwards there was a contest raised betwixt Mr. Stanton and my brother about his claim there. Mary Rodman said that he hadn't any; that the land there had been conveyed; that they were to have the land for so much a year, to pay his debts until the debts were paid. Uncle Joe, the grandfather of this young man, I think, occupied it for many years; but after he died, it hasn't been in any cultivation at all, only to cut wood off of. Of course, it laid in commons, and if I saw anybody there I shouldn't tell them not to cut. Anybody that wanted to go and cut, if they got the wood off it was all right. If anybody wanted to go there and cut wood for the meeting-house or school-house, it was all right.

Q. Off of this Mary Deacon lot?

A. Yes, sir.

Q. Anybody could cut anywhere except in the cedar swamp?

A. Yes, sir.

Q. And there you had to pay?

A. Yes, sir. None of the settlers could go in there and cut without a permit of the Council, but old women could go in there and get basket sticks or beach barks. That was the privilege.

Q. Without any permit?

A. Yes, sir. They had a kind of free sweep.

Q. (By Mr. Adams.) How large should you think that Deacon lot was?

A. Well, I couldn't explain anything about it.

Q. A dozen acres?

A. Well, if they call it where they have cut over, I should suppose there was a hundred or two acres. They have cut about all the wood that there is there. If that is the lot, it is a big lot.

(The next question discussed was the boundary line between Daniel Hull and Matilda Congdon. After hearing evidence in reference to it, it was ascertained that the Council had formerly set off bounds on this line; and the Commission decided that that should be the boundary line.)

After examining the boundaries of other individual land, about which there was no dispute, the Commission gave further hearing to the Cooper cases, as follows:

MR. BROWN.—If the gentlemen please, I would like to call attention to a piece of land upon the map here—plat No. 2, I think it is, which I have discovered is or was the Harry land. At this time I will confine my remarks to a claim to this land by the Peckhams of Norwich, who are Harry heirs. And as they have been admitted, and are members of the tribe, the only question now is to find out if we can what interest they have in these lands; and I would like to have the testimony of some of the gentlemen here—perhaps of Mr. Ammons, whom I have already conversed with, for a little information in regard to this land.

GIDEON AMMONS, SWORN.

Q. (By Mr. Brown.) Mr. Ammons, this is the tract of land formerly known as the Harry land, is it not?

A. Yes, sir.

Q. It was set off to whom?

A. It formerly belonged to Deacon Daniel Harry.

Q. Do you know, Mr. Ammons, how many heirs he left?

A. Well, I never have seen but three. I have seen Hannah Harry, and Betsey Harry I was pretty well acquainted with, and Daniel Jaques, and the other sister I don't remember of every seeing—Mercy.

Q. This land, upon the death of Deacon Daniel Harry, was it not divided among his heirs?

A. All that I know is that Tobey Ross's wife was a Harry, and I suppose she had a right there.

Q. Was you a member of the Council?

A. No, sir.

Q. You were not at that time?

A. No, sir. That was before I was born, I suppose.

Q. There was Betsey, Hannah, and Daniel Jaques. Those you knew?

A. Yes, sir.

Q. Do you know, sir, whether there have been heirs claiming under Hannah?

A. Well, I have never known any that has claimed under her until Miss Peckham. I never knew any heirs that claimed under Hannah until she came and made her claim.

Q. And how long, sir, has she been pressing her claim to these lands, to your knowledge—to her share?

A. I don't know exactly the date.

Q. It is a long period?

A. Well, it is some ten or a dozen years.

Q. Isn't it twenty or thirty years?

A. Not to my knowledge, sir.

Q. You won't say that it was not?

A. No, sir.

Q. Do you know what became of Daniel Jaques?

A. He was sick quite a number of years.

Q. Did he leave any heirs.

A. No, sir.

Q. Did Betsey Harry leave heirs?

A. Yes, sir.

Q. Can you give their names, or the names of any of them?

A. Well, there is Daniel and Eliza.

Q. Daniel is present here, I believe?

A. Yes, sir. Eliza is dead, and Millie is dead.

Q. Are any of these names on here—Elizabeth Primos, or Annie Wilson,—are any of them the children?

A. Annie Wilson is Eliza's daughter, and I suppose that Elizabeth Primos was Millie's daughter.

Q. They have received their share of the land?

A. Yes, sir. They received it because there was no other heirs.

BRISTER MICHEL, SWORN.

Q. (By Mr. Brown.) Mr. Michel, you are familiar with this tract of land known as the Harry land?

A. I am with some parts of it.

Q. And you have known the present claimant, Mrs. Cooper, I suppose for a number of years?

A. Yes, sir. I should think somewhere about ten or twelve years ago was the first time I ever saw her.

Q. Was you a member of the Council at that time?

A. Yes, sir.

Q. She was admitted an heir of the tribe?

A. She was at that time. She came and called the Council—she and her brother, I think, by the name of Peckham. She said her name was Mrs. Cooper. They called the Council. I was the second man. We didn't know anything about her at all. Finally she got old Molly Rodman, the oldest person in the town, and she said that she knew her mother. Finally we took Miss Molly Rodman's testimony that she was acquainted with her mother, and finally we gave her a paper. And then we found out from Joseph Stanton that there was a debt against the land that she claimed, for Jaques' funeral services and last sickness. So it was left just as it was. We made out a sketch of that paper, and gave it to her. There was three of the Council signed it.

Q. Is *that* the paper?

A. Yes, sir; that is the paper, The wood was sold to Mr. Brown of the Ocean House. They were to come again the next March. There was a debt against the property at that time, and whether she came again the next spring I couldn't say. I was out of the Council the next season.

Q. Upon the payment of this debt, you were prepared to acknowledge her claim to the land, or her share of it?

A. A portion of the Council required more proof, and told her they wanted her to bring more proof. She said she could bring more from Norwich with her—some people that knew her mother. At any rate more proof was required.

Q. You say the proof wasn't considered quite sufficient by some of you?

A. Yes, sir. She or her brother said that they could bring more proof. I think Mr. Champlin at that time said that he knew some of the Peckhams.

Q. What part of the land was it that she was to receive possession of? Can you point it out on the map?

A. No, sir; I couldn't. It has been divided since.

Q. But upon the payment of this debt for the death of Daniel Jaques, it was then considered proper, if she presented herself, to receive her share of the land?

A. That was what was talked that day. The wood was sold off of the land standing. Since that time it has been set off to Annie Wilson, and, I guess, Miss Primos. I wasn't a member of the Council at that time, but I was there when they were running the lines. That is the first I knew where it was. I won't say how long ago it was. It was some six or eight years ago, and I don't know but longer than that.

Q. You were not acquainted with Mrs. Cooper or the Peckhams before ten or twelve years ago?

A. No, sir. The first time I ever saw her was at Miss Rodman's house.

Q. From that time down, she has been pressing her claim, has she not?

A. I have seen her two or three times. I saw her at August meeting some two or three years ago, I think. She was talking of the lots at that time, and one time since then particularly.

Q. Were you a member of the Council when they were going to perform the ceremony of crowning her?

A. No, sir; I wasn't.

Q. (By Mr. Carmichael.) Who divided this land?

A. It was done by the Council. It was set off to these persons after this debt was paid. The Council kept the land under their jurisdiction until after the debts were paid off, and then it was set off to the heirs that were here in town. I couldn't say how long ago, exactly; I don't recollect. It was some eight years ago, I should think, and, probably, longer.

Q. (By Mr. Noka.) Do you recollect about how many of the Council were with you at that time when this lady was down—at the time when she got that paper?

A. I don't recollect, exactly. Joseph Stanton, I think, and William R. Sekater, I think, was there.

Q. I understood you that this Council that were with you wanted more proof. Did I not understand it so from you?

A. The way it was talked that day was that she or her brother could

bring more proof. There was a kind of controversy about the proof, and all the proof she could or did produce in the town was Mary Rodman. There was a lady or gentleman—I have forgotten which—that lived in Norwich, that knew her mother, and knew more about the land.

MR. BROWN.—We have put in an affidavit, if the gentlemen please, from that man in Norwich.

Q. (By Mr. Brown.) Has there ever been more than five members of the Indian Council?

A. No, sir.

Q. Always five?

A. Yes, sir.

Q. If there was four heirs of Deacon Daniel Harry Ninigret, the heirs of Hannah would share how much?

A. If she didn't have but one heir, she would share one quarter.

Q. And if other heirs had deceased since then, she would have a share in their portion. This, Mary Rodman proved at the time, and it has been the custom of the people to accept that kind of proof in regard to the heirship, hasn't it?

A. I suppose it has in some cases. Always have to go by the oldest living witnesses, and she was one of those.

Q. She was an old lady?

A. Yes, sir. She didn't know where the land was, but she knew the people. She knew the old stock—this woman's folks.

FRANCIS COOPER, SWORN.

Q. (By Mr. Brown.) Mrs. Cooper, who was your great grandfather?

A. Deacon Daniel Harry.

Q. And your grandmother?

A. Hannah Harry.

Q. And your father's name?

A. George C. Peckham.

Q. How long have you been prosecuting this claim for your lands?

A. Well, ever since Tobey Ross' first wife was living. I can't tell. I guess it was about thirty years, and, perhaps, a little more.

Q. What were your first steps?

A. I went to Westerly to see him, and ask him about the lands of my father.

Q. To see Tobey Ross?

A. Yes, sir,

Q. Is he living now?

A. I think not.

Q. What did you obtain from him?

A. I asked him about father's land. He says, "I am second cousin to your father, and I am the governor and ruler here, and come in next to your father because all the rest of the heirs are dead." Said I, "they are not dead." He said, "I have taken care of it, and not let them cut off the wood."

Q. Afterwards what did you do?

A. That time I told him to take care of it. Afterwards I came again. His first wife was dead, and he had married a sister.

Q. Did you afterwards come and see about this land?

A. I have come here several times and inquired for the Harrys. They told me there was no Harrys living here. I have come here several times to see them. Tobey Ross was dead then.

Q. Did he leave any children?

A. They say he has one daughter.

Q. Do you know her name?

A. Stanton. I don't know anything about her. I never saw her.

Q. Come down to a more recent period—within the time when you have met the Council. Give your efforts before the Council to prosecute your claim?

A. When I came here and saw one or two.

Q. When was this?

A. This was years before.

Q. Twelve, or fifteen, or twenty?

A. Well, somewhere along there; perhaps, a little further back. It is as much as twenty years. I can't tell you the Council. They told me if I could get three living witnesses who knew me, that they would take, I could have it. I got them. Then they told me it would have to go by the oldest Indian.

Q. You say they told you to get three people?

A. Yes, sir.

Q. And you got them?

A. Yes, sir.

Q. How did you do it?

A. I picked out the oldest women I could find.

Q. Then they told you what?

A. They wanted the testimony of the oldest Indian person.

Q. That knew you?

- A. That was the rule then, they said.
- Q. Did you find this person?
- A. They found her themselves.
- Q. Who did?
- A. This committee.
- Q. Who was the person?
- A. This committee told me that. They told me to get living witnesses. I kept coming here afterwards, and I couldn't find out anything.
- Q. Did the committee find an old person?
- A. They found Mary Rodman, they called her, and they said they would take it before her, and if she knew anything of my parents I should have it.
- Q. Then the paper that we have presented to the Commission to-day was the paper that the Council made out at that time?
- A. At that time.
- (The paper is as follows:)

"KING NINIGRET.

CHARLESTOWN, October 19th, 1870.

The Indian Council met at the house of Mary Rodman. The Council acknowledge that James Peckham, Francis Cooper and others is heirs to Hannah Harrie's estate. Proved in Mary Rodman.

BRISTER C. MICHEL,
JOSEPH STANTON.
his
OTHNIEL X WILCOX."
mark.

(Signed,)

- Q. And upon your receiving that paper, what did they tell you in regard to your getting possession of those lands then?
- A. They said that we couldn't come in full possession of them until they cut off three hundred dollars' worth of wood for the death of Daniel Brooks.
- Q. Was there anything said about getting further proof?
- A. Nothing to me. They said we couldn't have it unless this woman or somebody would know about it.
- Q. Then they said what?
- A. That they must cut off three hundred dollars' worth of wood for the death of Daniel Brooks; then we became full heirs in March.

But we never understood that we were to come down in March. We didn't know anything about coming down in March.

Q. So you didn't come?

A. No, sir. If they had told us we would have known about it.

Q. When did you come?

A. At different times straight along. I have been down here several times to have my land set off.

Q. The date of that paper was 1870?

A. I have been here three or four years since that time, and I have come for rent money from Mr. George Burdick. Twice I have come. Mr. Burdick asked me who I was. Says I, "I am Peckham. I am a Cooper." He says, "you come for rent money?" "Yes." Are you those Peckhams in Norwich?" "Yes." He said, "Mollie Rodman told me on her death-bed that the Peckhams in Norwich were the true owners of the land, and that Tobey Ross had nothing to do with it."

Q. Did he pay any rent?

A. He paid me two dollars. He said, "I won't pay any more until I know who to pay, and when I know that you are legal heirs you shall have your rent. She told me not to pay any more to anybody else."

Q. What have you done since that time?

A. I have kept coming here. I came down to have the land set off, and after I got here they told me if I would stay till Saturday—Henry Hazard's people—if I would stay till Saturday with Luke Hopkins they would set it off for me. Mrs. Hazard said, "I can set it off myself. I know where it is. It commences in by the wall at Watchaug; and it is only a little piece, and I will set it off for you."

Q. Did they set it off?

A. No, sir.

Q. Why not?

A. They couldn't unless I stayed a week. I said I would go home then. I went home.

Q. Did you stay a week down here?

A. No, sir. I went home that day. I have stayed there two or three times all night, and gone home the next day. I supposed she was one of the Council.

Q. Have you understood anything about lands being set off to you?

A. I had them looked up at Kingston Hill, and they found James Peckham land. He was an uncle of mine.

Q. You found a record of such land there?

A. Yes, sir.

Q. And that was all you could find out?

A. I asked them if there was no Harry land there, and they said yes. I told them it was the Harry land I wanted. They said that land was there, and so much had been set off to James Peckham. I didn't know how they could set off any land to James Peckham when it was all Peckham land.

Q. Then your claim is that, being a descendant of Hannah Harry, and being acknowledged a member of the tribe, and connected with all these circumstances of the committee, you are entitled to your share of these Peckham lands?

A. I claim it that way, and by another way.

Q. (By Mr. Carmichael.) What was this rent that Mr. Burdick paid you?

A. Rent money.

Q. For what land?

A. For the Harry land.

Q. (By Mr. Adams.) You always have lived in Norwich?

A. Yes, sir.

Q. (By Mr. Thomas.) How many portions of this Harry land does Mr. Burdick hire?

A. I can't tell you how many portions.

Q. He hires all from Watchaug through. Now, what land did he pay on?

A. On what I asked for. I told him I was a Peckham from Norwich.

Q. How long has this south lot, where you claim, been fenced?

A. We haven't got any bounds at all, except that father says it commences up north, and takes in Watchaug by the old post road, to the salt water. He didn't pay for a certain portion. He said he would pay me just that.

MR. BROWN.—He paid her what he considered to be her share as one of the owners.

MR. THOMAS.—That takes the Champlin farm and all.

MRS. COOPER.—I suppose I could go a little further, too, if I wanted to.

BENJAMIN THOMAS, SWORN.

Q. (By Mr. Carmichael.) Will you tell the Commission who were members of the Council when this Harry land was divided?

A. The first time this Harry land was divided, it was rather too far back for me to remember. It was divided first between Daniel Harry and Millie and Eliza Harry. It was what I call the Deacon Daniel Harry lot. If I mistake not, Daniel owned the north right, and Eliza the middle right, and Millie the south right. Daniel built a house there.

Q. Can you tell anything about who was in the Council when the last division was made?

A. That has only been kind of guessed at. Mrs. Peckham has not got the idea right about when this wood was sold. It was somewhere between twelve and fifteen years ago that we sold that wood to Bob Brown. I was one of the Council, and the next year when the wood was sold Ammons was in, and I don't know but Congdon was. I don't know that it has ever been divided since. Possibly it has, but I don't think it has. But where are the bounds? There are no bounds anywhere between, unless it has recently been done. They have cut the wood off. Finally, to include the whole, Daniel set the woods afire, and that made a finish of it.

Q. You don't know anything definite?

A. No, sir. There is no record of it.

Q. (By Mr. Brown.) You think there is no record of it?

A. No, sir; there is no record of any division of that. We three have handled the books, with Henry Hazard, and there is no record of any division of that land. There has not been any division. Now, that is a mistake about Tobey Ross marrying his wife's sister. His first wife was a Shelly, and she belonged in Indian Town, and Uncle Tobey has got heirs there. Ben's wife is one of the heirs of Uncle Tobey. About the time that they took her to Molly, she had got so feeble and forgetful that she didn't know hardly anything. She has been dead about nine years now. She was for years helpless, so that they had to help her around; and about this time that this paper was made up, it was the time she was so feeble she was not capable of knowing. She hardly knew me when I went in. Yes; it would be ten years.

MR. SHEFFIELD.—The paper is dated in October.

THE WITNESS.—Then Aunt Molly died the next March. The

practice has been of this tribe never to take one witness to substantiate a thing for a fact in this tribe. They are liable to vary in telling a fact. We always want a multitude of witnesses to establish a thing, especially in land titles. Now, if Miss Peckham was ever an heir to this tribe, it is a name that never has been known in this tribe for forty years.

Q. Are you aware that any Peckham land was ever set off?

A. Not a particle.

Q. You don't know that there is on record at Kingston a deed of Peckham land?

A. No, I don't; and I don't think any one else knows it.

Q. Perhaps I will be able to convince you of it.

A. I should like to see it.

Q. Then you think that this old lady, Miss Rodman, was very old and feeble?

A. Yes; she was very old.

Q. Hardly knew anything?

A. I think there are others that know it as well as I. She was very old and very feeble, and she was my aunt.

Q. It was rather an improper action on the part of the Council to bring the matter before such a person as that?

A. Can't help it. If they have made a mistake, they must bear it.

Q. You say you always require a multitude of witnesses?

A. Yes.

Q. It seems to me that the Council acknowledged that she was an heir on this testimony.

A. I will tell you how this was worked. The custom has been, when you come to prove the title of a person, to call the Council, and enough witnesses to substantiate that thing as a fact. Not to get it in some corner, before some old person that don't know how to get out-doors, and have it tried; but to do it in an open way, so that we can understand the thing clearly. That is the way it has been done. We could coax them up to say most anything, and during the last part of her life she hardly knew her own folks when they came. She would say, "Lord-a-massy; is that you." And then she would shake hands, and say, "I am glad to see you," and go on and talk, and you couldn't hardly tell what she was talking about.

Q. When was this land divided?

A. I guess John L. Kenyon divided it.

MR. KENYON.—I was there with Primos and Annie Wilson, and they pointed out those bounds. That was during my survey.

Q. Were the bounds set up by the Council?

A. No, sir; the Council wasn't there. Some of those lines are definite lines. Some are walls, and some old fences, and some of them must be pretty near correct.

DANIEL HARRY, SWORN.

Q. (By Mr. Sheffield.) What do you know about the heirs of the Harrys, and this land in question?

A. My mother always held that south lot towards the Champlins.

Q. Who was this south tract towards the Champlin farm originally set off to?

A. I don't know who it was set off to.

Q. Did you ever hear by tradition that it was set off to any of your ancestors? How did it get to you?

A. Elizabeth wanted to get her rights, so she called the Council, I think, and had it set off to her, and I don't know but they divided the other part. I don't know about that.

Q. Did you ever own any of this land—this south part?

A. Yes, sir; and lived on it a good many years; always lived on it.

Q. Do you own any of it?

A. Yes, sir; and live on it.

Q. Who did you inherit it from?

A. My mother.

Q. She owned the whole of this tract, did she?

A. She owned the whole of it ever since I can remember.

Q. Who are her heirs after her?

A. My sister Millie Harry and Eliza Harry and me. My two sisters are dead. Eliza was younger than myself.

Q. You had two sisters only?

A. Yes, sir. That is all there was living since I can remember. My mother had seven children, I believe, but they all died while they were young, before I can remember.

Q. Do you know Mrs. Cooper?

A. No, sir.

Q. You have seen her here?

A. The first time I ever saw her was lately. I never heard of the Peckhams before I saw her. I always lived in Charlestown since I was

thirty years old, and I don't think I was out of the town six months at a time.

Q. Do you think she is related to your family?

A. I don't know anything about it, any more than you do; nothing more than what she has said. That is all I know about it. I think that is all anybody knows about it.

Q. You say your mother owned the whole of this land?

A. Yes, sir; clear up to the Tobey Ross land; all her father's and mother's right.

Q. How did your mother get the land?

A. Part of it came from her mother, and part of it from her father. My grandfather married a woman by the name of Coies, and they owned all that land down to the Champlin farm. They divided that land off, and she had this lot, and it happened to come next to her land on the west side of the road, and that made a straight line of that clear through.

Q. (By Mr. Brown.) Your grandfather's name was Daniel?

A. Yes, sir.

Q. Deacon Daniel Harry?

A. Yes.

Q. Now you say you had two sisters, Mercy and Betsey. Your mother's name was Betsey?

A. Yes, sir.

Q. Didn't she have a sister Hannah?

A. Yes; three daughters and one son.

Q. I understood you to say that your mother had only two sisters. It is through that daughter Hannah that the Peckhams claim, as we have put in evidence to show.

A. I don't remember of ever seeing her. She must have died before I recollect.

Q. You never attended her funeral, did you?

A. Of course I didn't. I know what they said was the cause of her death—that she was drowned in the Connecticut river. I can recollect well when mother got news of it, because it astonished me to see her crying, and she said her sister and her daughter were drowned in the Connecticut river. A man came and told her.

Q. Do you know who your Aunt Hannah's husband was?

A. I don't know that she ever had any husband.

Q. You don't know who was with her when she was drowned?

A. No, sir.

Q. Then you don't know that she married a Peckham?

A. No, sir.

Q. (By Mr. Thomas.) How long ago was it that you think she was drowned?

A. I was a little chub. It must have been over sixty years ago. I was a little chub. I can just remember it.

FRANCIS COOPER, RECALLED.

Q. (By Mr. Brown.)• Mrs. Cooper, can you tell us the cause of your grandmother's death?

A. I will tell the truth about it. She was tipsy, and she was in a boat with Daniel Brooks, with some dogs, going across the Connecticut river. Mother told me last Friday where she was going to, but I have forgotten. And the dogs jumped into the water, and tipped over the boat. They couldn't find her. She hung to the bottom of the boat, and was carried across the river.

DANIEL HARRY.—I had a sister drowned at the same time.

MR. BROWN.—If the gentlemen please, although the evidence that we have presented is not as full and conclusive as we hoped to put in, yet it seems to me it bears pretty strongly in our favor. We have presented here the facts of the land having been set off in the first place to Deacon Daniel Harry, and we have shown that his children inherited it, and their names are acknowledged by one of the Harrys present.

Now while the evidence that we have presented to show that Mrs. Cooper and the Peckhams have been admitted as members of the tribe perhaps is not strong enough to substantiate their claim, yet with the affidavits that we put in day before yesterday, we think that it does substantiate that part of their claim; and also it has been admitted by Daniel Harry himself, although he is reluctant to acknowledge the Peckhams as heirs or having an interest in this land,—when the incident is brought up about his aunt being drowned, and Mrs. Peckham tells that it was her grandmother who was drowned in that way, Mr. Harry said that he had a sister drowned at the same time in the same boat. His mother has told him of it, and it seems that he has admitted what he didn't wish to admit by being interested in these family details.

And the fact that these Peckhams have been here for fifteen or twenty years presenting their claims, have had hearings before the Coun-

cil, have given their evidence before one of the oldest women, and she admitted that she knew, and notwithstanding the evidence of the gentleman who says she was in such a condition not to know what she about, yet it seems to me that the Committee themselves wouldn't have taken the evidence of such a person, if she hadn't been in condition at that time to give some evidence that was of some value. And in matters of this kind, it seems to me that it doesn't require a person of very strong mental powers, or very robust health, to recall something of this kind; to bring up in their recollection the names of persons, or the members of a family. No matter if she was in feeble health. It will not impair her testimony at all. And that, taken in connection with the affidavits that we have put in from two gentlemen of Norwich, it seems to me is sufficient proof; that we have furnished what the Council claim that they wanted, and have complied with what they required, and have furnished them additional testimony at this late day, as we are best able. Perhaps we might be able to present more and better evidence in time, but with the limited time that we have had we have brought in what evidence we could procure; and as the claimant has pressed her suit for so long time, and with such little success, and has lost no courage by her want of success, if we haven't put in enough to prove it at this time we will put in more, and endeavor to clear up any misty doubts that may be left in regard to the matter. The gentleman who testified—Mr. Ammons—acknowledged that if she was a descendant of Hannah she was entitled to a half interest. I am very much obliged to the gentlemen for their attention, and will detain them no longer.

MR. ADAMS.—We will take the matter under consideration.

Adjourned till Wednesday, January 12th, 1881, to meet at Hoxie's Hall, at 9 A. M.

On Wednesday, January 12th, the Commission held the final meeting on the land question. Only a small number were present besides the Indian Council and the surveyor, and the business was settled in an informal way, without the necessity of hearing testimony. Nothing of special interest occurred, the business being simply an examination of the plats of individual land.

APPENDIX C.

Final List of the Members of the Narragansett Tribe of Indians Entitled to a Share of the Purchase Money.

NAME.	AGE.	RESIDENCE.
Gideon L. Ammons.	68.....	Charlestown.
Joseph Ammons.....	70.....	“
Candis A. Ammons.....	31.....	“
Alexander R. Ammons	32.....	Providence.
George G. Ammons.....	24.....	Westerly.
Mary E. Ammons	23	“
Clarence G. Ammons	3.....	“
Josephine Ammons.....	30.....	Stonington.
Emma J. Ammons.....	22.....	Greenwich.
Hettie Ammons	4.....	“
Hannah Brown	69	Carolina.
Lewis C. Brown.....	22.....	“
Mertie P. Brown.....	26.....	“
Elliot E. Brown.....	5 m.....	“
Laura P. Brown.....	20.....	“
Ellen T. Brown	18.....	“
Catherine Brown	40.....	“
Winfield S. Brown.....	26.....	“
George A. Brown	24	“
Esther R. Brown.....	27.....	South Kingstown.
Esther Brown.....	3.....	“ “
Henry H. Brown.....	29.....	“ “
Sarah A. Brown.....	25.....	“ “

NAME.	AGE.	RESIDENCE.
Thaddeus Brown	7.....	South Kingstown.
Frederick V. Brown	5.....	" "
Theodore D. Brown.....	3.....	" "
John E. Brown.....	33.....	Providence.
Isabella E. Brown	19.....	"
Betsey Bent.....	39.....	Bristol.
Joseph Bent	49.....	Charlestown.
William H. Bent	38.....	Providence.
Ida F. Bent.....	5.....	"
Joseph Brant	8.....	Charlestown.
Anna Babcock	37.....	Hopkinton.
D. A. Babcock.....	18.....	"
Emma Babcock	14.....	"
Charles Babcock.....	12.....	"
Anna Babcock.....	8.....	"
Minnie Babcock.....	5.....	"
Cora Belle Babcock.....	2.....	"
Francis Babcock.....	6 w.....	"
Edward S. Cone	58.....	Wakefield.
Mary E. Cone.....	49.....	"
Etnah Cone.....	7.....	"
Annie M. Cone.....	20.....	"
Sarah C. Cone.....	22.....	Providence.
Mary R. Cone.....	25.....	"
Francis Cone.....	6.....	"
Charles H. Cone.....	32.....	"
Henrietta F. Cone	10.....	"
Fred Cone	8.....	"
Mary Jane Cone.....	44.....	"
Lydia Champlin.....	39.....	Charlestown.
Samuel R. Champlin.....	31.....	"
Henry Champlin	66.....	"
Sarah Champlin.....	76.....	"
Mary R. Champlin.....	29.....	"
Hannah F. Champlin	33.....	Westerly.
Elizabeth Champlin.....	70.....	"
Mary Champlin.....	40.....	"
Betsey Champlin.....	63.....	"
William Champlin.....	35.....	"

NAME.	AGE.	RESIDENCE.
George H. Champlin.....	23.....	Westerly.
Ida Champlin.....	21.....	"
Abraham R. Champlin.....	44.....	South Kingstown.
Sarah Champlin.....	37.....	"
Henry H. Champlin.....	15.....	"
Abraham L. Champlin.....	13.....	"
Charles A. Champlin.....	11.....	"
Freddie D. Champlin.....	9.....	"
James H. Champlin.....	5.....	"
Gracie Champlin.....	1.....	"
Benjamin Champlin.....	29.....	
Priscilla Champlin.....	46.....	
Susan Champlin.....	42.....	
Benjamin R. Champlin.....	38.....	Providence.
Ellen M. Champlin.....	17.....	"
Jane R. Champlin.....	14.....	"
Walter H. Champlin.....	9.....	"
Mary A. Carpenter.....	48.....	"
Lizzie Congdon.....	32.....	Westerly.
Matilda Congdon.....	73.....	Charlestown.
Samuel Congdon.....	43.....	"
Mary A. Congdon.....	25.....	"
Hettie L. Congdon.....	2.....	"
William H. Congdon.....	7.....	"
Victor E. Congdon.....	5.....	"
Oseola Congdon.....	4 m.....	"
Martha Creighton.....	56.....	Providence.
Charles Clark.....	40.....	Richmond.
Charlotte Conway.....	53.....	Westerly.
Samuel Conway.....	12.....	"
Gideon Conway.....	14.....	"
Susan Conway.....	16.....	"
Ruth Crandall.....	99.....	Charlestown.
Nancy Crandall.....	32.....	"
Sarah Ann Crandall.....	11.....	"
Oliver Crandall.....	6.....	"
Katie G. Crandall.....	3.....	"
Francis Cooper.....	49.....	Norwich, Ct.
Ida Cooper.....	20.....	"
Addie Cooper.....	17.....	"

NAME.	AGE.	RESIDENCE.
Nancy Ann Fairweather.....	52.....	Kingston.
William Fairweather.....	17.....	"
Hannah Fairweather.....	47.....	South Kingstown.
William R. Fairweather.....	21.....	" "
Sumner Fairweather.....	18.....	" "
George E. Fairweather.....	16.....	" "
Martha A. Freeman.....	49.....	Charlestown.
Hannah S. Gardner.....	39.....	Westerly.
Avaldo C. Gardner.....	16.....	Mudville, Ct.
Benjamin G. Gardner.....	53.....	Providence.
John B. Gardner.....	27.....	Charlestown.
Ella I. Gardner.....	18.....	"
Mary M. Gardner.....	5 months.....	"
Alexander K. Gardner.....	37.....	"
Fidelia Green.....	34.....	"
William Green.....	17.....	"
Henry K. Green.....	9.....	"
Leanora H. Green.....	7.....	"
Alice M. Green.....	5.....	"
Augustus F. Green.....	3.....	"
Charles F. Green.....	8 months.....	"
Hannah M. Hazard.....	28.....	Providence.
Harry N. Hazard.....	5.....	"
Grace E. Hazard.....	1.....	"
Sarah Hazard.....	46.....	"
Howard B. Hazard.....	20.....	"
Minnie B. Hazard.....	13.....	"
Frank Hazard.....	30.....	Ashaway.
Perry G. Hazard.....	43.....	Westerly.
Caroline Hazard.....	33.....	"
Amy Hazard.....	78.....	"
Lucy Hazard.....	35.....	"
James M. Hazard.....	54.....	South Kingstown.
William H. Hazard.....	58.....	Charlestown.
Sarah M. Hazard.....	53.....	"
Mary Jane Helm.....	28.....	Narragansett Pier.
Mary F. Helm.....	5.....	" "
Abbie F. Helm.....	33.....	"

NAME.	AGE.	RESIDENCE.
Elizabeth R. Helm.....	32.....	Charlestown.
George H. Helm.....	6.....	"
Ethel Helm.....	4.....	"
David A. Helm.....	1.....	"
George C. Henry.....	32.....	Westerly.
Mary E. Henry.....	9.....	"
Charles H. Henry.....	4.....	"
George T. Henry.....	6 months.....	"
Mary Ann Hopkins.....	54.....	Newport.
Nathaniel Hopkins.....	69.....	Charlestown.
Annie M. Hopkins.....	19.....	"
Amy Hopkins.....	15.....	"
Mary C. Hopkins.....	13.....	"
Sarah T. Hopkins.....	10.....	"
Susan F. Hopkins.....	8.....	"
Adelaide Hopkins.....	3.....	"
Nellie M. Hopkins.....	11 months.....	"
Luke H. Hopkins.....	65.....	"
Dudley Hopkins.....	58.....	"
Charles H. Holmes.....	17.....	"
Lydia Harris.....	26.....	Providence.
Eliza L. Hilton.....	32.....	"
Clarence Hilton.....	12.....	"
Ellen L. Jackson.....	18.....	Carolina.
Mary A. Jones.....	63.....	Stonington.
Charity Johnson.....	44.....	Richmond.
Alvan Johnson.....	20.....	"
Thomas Johnson.....	17.....	"
Rosa Johnson.....	14.....	"
Eliza Johnson.....	7.....	"
Abbie F. Johnson.....	33.....	Charlestown.
Susan D. Johnson.....	13.....	"
Charles Z. Johnson.....	10.....	"
Harris W. Johnson.....	8.....	"
Herbert Z. Johnson.....	7.....	"
Mary Z. Johnson.....	4.....	"
Amy Jackson.....	63.....	Providence.
Gideon Michel.....	33.....	Kenyon's Mills.

NAME.	AGE.	RESIDENCE.
Augusta A. Michel.....	30.....	Richmond.
John E. Michel.....	21.....	"
Ada F. Michel.....	21.....	"
Brister Michel.....	49.....	Charlestown.
Mary A. Michel.....	47.....	"
Walter R. Michel.....	24.....	"
Albert B. Michel.....	20.....	"
Mary C. Michel.....	18.....	"
Edwin E. Michel.....	15.....	"
Sarah I. Michel.....	8.....	"
Hazard E. Michel.....	4.....	"
Rhuahamer Malbone.....	108.....	"
Daniel Moody.....	76.....	"
Mary A. Moody.....	64.....	"
Eliza Moody.....	40.....	"
Louisa Moody.....	18.....	"
Jane Moody.....	22.....	"
Elizabeth Moody.....	19.....	"
Nane Moody.....	13.....	"
John Moody.....	5.....	"
Edward Noka.....	59.....	Providence.
Benjamin G. Noka.....	35.....	Boston.
Gideon Noka.....	39.....	South Kingstown.
Peter Noka.....	72.....	Westerly.
John H. Noka.....	21.....	"
Lydia Noka.....	25.....	"
"Baby" Noka.....	2 months.....	"
Joshua H. Noka.....	62.....	Charlestown.
James H. Noka.....	29.....	"
Nancy I. Noka.....	28.....	"
John N. H. Noka.....	24.....	"
Joshua H. Noka, Jr.....	20.....	"
Alfred N. Noka.....	18.....	"
Mary L. Noka.....	15.....	"
Eva I. Noka.....	5 months.....	"
Sarah A. Noyes.....	29.....	Westerly.
John W. Noyes.....	10.....	"
Charles F. Noyes.....	4.....	"
Frank E. Nichols.....	29.....	Providence.

NAME.	AGE.	RESIDENCE.
Georgianna Nichols.....	6.....	Providence.
Mabel Nichols.....	4.....	"
Charles Nichols	2.....	"
Grace Nichols.....	5 months.....	"
Hannah Nichols.....	67.....	"
Olive Nichols	27.....	"
George Nichols.....	33.....	"
Priscilla Nichols.....	75.....	"
Betsey Olney.....	40.....	Wakefield.
Daniel Primos.....	71.....	Charlestown.
Elizabeth Primos.....	44.....	"
Francis N. Perry.....	55.....	"
Lyman F. Perry.....	25.....	"
John H. Perry.....	29.....	"
Jean Perry.....	16.....	"
Elizabeth Perry	22.....	"
William L. Perry.....	7	"
Mary F. Perry.....	1.....	"
Sophronia Perry.....	33	Narragansett Pier.
Lillie H. Brown.....	7.....	" "
Mary J. Peters	11.....	Westerly.
Sarah F. Peters.....	9.....	"
Charles E. Peters.....	2.....	"
Salome Robinson.....	60.....	Clinton Corner, Ct.
Sarah A. Robinson.....	60.....	Kingston.
Thomas Rogers.....	76.....	Charlestown.
Angelina Rogers	69.....	Connecticut.
Hannah Rice	49.....	Newport.
Griselda Rice.....	21.....	"
Lewis Rice.....	19.....	"
Claudine Rice.....	9.....	"
Frederick Rice.....	7.....	"
Joseph B. Stanton.....	18.....	Charlestown.
Katie L. Stanton.....	16.....	"
Mary A. Stanton.....	13.....	"
Horatio S. Stanton.....	11.....	"

NAME.	AGE.	RESIDENCE.
Hannah M. Stanton.....	9.....	Charlestown.
Jeremiah Stanton.....	7.....	"
Daniel Sekater.....	39.....	"
Daniel Sekater, Jr.....	18.....	"
Mary A. Sekater.....	16.....	"
William R. Sekater.....	33.....	Wakefield.
Johannah F. Sekater.....	33.....	"
Mary E. Sekater.....	13.....	"
Grace E. Sekater.....	11.....	"
Alice S. Sekater.....	9.....	"
Clarence E. Sekater.....	6.....	"
Ann E. Sekater.....	4.....	"
Sarah E. Sekater.....	2.....	"
Mary E. Sullivan.....	24.....	Providence.
Mary Sampson.....	35.....	Worcester.
Elizabeth Sias.....	50.....	Hope Valley.
Nellie Sias.....	15.....	"
Ann Sias.....	9.....	"
George G. Sias.....	38.....	"
Benjamin Thomas.....	58.....	Charlestown.
Samuel Thomas.....	37.....	Westerly.
Gertie Thomas.....	6.....	"
Belle Thomas.....	7.....	"
Courtland Thomas.....	4.....	"
F. D. Thomas.....	34.....	Providence.
Annie Thomas.....	5.....	"
B. F. Thomas.....	30.....	"
Lizzie Thomas.....	9.....	"
Carrie Thomas.....	7.....	"
Willie Thomas.....	4.....	"
Lorenzo Thomas.....	2.....	"
Thomas H. Taylor.....	30.....	East Greenwich.
Thomas H. Taylor, Jr.....	8.....	"
O. S. Wilcox.....	31.....	South Kingstown.
Ida Wilcox.....	8.....	" "
Amy A. Wilcox.....	7.....	" "
Sarah Wilcox.....	4.....	" "
Patience M. Wilcox.....	11 m.....	" "

NAME.	AGE.	RESIDENCE.
Hannah Wilcox	65.....	Charlestown.
Sarah Watson	63.....	Westerly.
Hannah B. Watson.....	21.....	
Esther Watson	61.....	Westerly.
Annie Wilson.....	28.....	Norwich.
Sarah Weeden.....	18.....	North Kingstown.
Ida Weeden.....	26.....	“ “
George E. Weeden.....	2 m.....	“ “
Hannah White.....	49.....	Charlestown.
Rosella S. Watson.....	43.....	Narragansett Pier.

APPENDIX D.

DEED FROM THOMAS NINIGRET TO THE COLONY OF RHODE ISLAND.

Executed March 28th, 1709.

Know All Men hereby, that I, Thomas Ninnegrat, of Charlestown, in the County of King's County and Colony of Rhode Island and Providence Plantations in New England, Sachem of the Narragansett Tribe of Indians, in said Colony, in consideration of the Love, Goodwill and Affection that I do bear to my said Tribe and to their Posterity for ever and for the sum of five pounds lawful money to me in hand paid by Henry Ward, of Newport in the County of Newport and Colony aforesaid, Esquire, Secretary of said Colony, the receipt whereof I do hereby acknowledge and that I am therewith satisfied and paid have given, granted, aliened, enfeofed and conveyed, and do (by and with the advise and consent of James Daniel, William Sachem, Christopher Harry, David Phillip and Henry Harry, all of said Charlestown, part of said Tribe of Indians, and five of my Council of Indians duly chosen,) hereby give, grant, bargain, sell, alien and convey unto the said Henry Ward, Secretary of said Colony, as aforesaid, for the time being, and to his successor in said office for the time being forever, all the little Island situate in said Charlestown on the estate belonging to me and my said Tribe of Indians and consists of three acres two quarters and thirty-two rods of land and is bounded as follows: Beginning by a Brook called Cochoguesuck; thence North fifteen degrees and a quarter to a white oak tree marked with five Hacks on the North side; thence North thirty-seven degrees and a half West one chain to a stake and stones about it; thence South, forty-nine degrees and a half West four chains and fifty links to a stake with stones about it; this line being the North side of the East Bridge; thence forty-four degrees West two chains and sixty links to a maple tree marked; thence South sixty-two degrees West five chains and fifty links to a great black oak tree marked; thence South seven degrees West three chains and sixteen links to a chestnut tree marked; thence South sixty degrees and a half East one chain and eighty-five links to a stake and stones about it; thence South eight degrees West one chain and seventy-five links to the Southwest corner of the West causey or crossway to a stake and stones about it; thence South fifty-four degrees East two chains and forty-two links to a maple tree marked which stands about thirty-three links from the pond; thence bounded on the Pond to the Mouth of the

aforementioned brook, where it empties itself in the above named Pond, and from thence up the stream of the aforesaid Brook to the first mentioned bounds, as may be seen at large by the plat of said Island made by Benjamin Hoxsie, Jun'r, surveyor, hereto annexed; together with all my right and title to the School House erected and standing on said Island and to all the Wares and Bridges which lead to and from said Island, and all other the privileges, appurtenances and commodities used or any wares appertaining to the said Island to be and remain to the said grantee as Secretary aforesaid for the time being and to his successors in said office for the time being forever, reserving to myself, the said grantor, and to my successors sachems of said tribe forever the yearly Rent of six pence in such money as shall yearly be passing in said Colony, to be paid yearly and every year on the first day of May, in Charlestown aforesaid, to the said grantor or his successors by the said grantee or his successors in said office or some other person for him or them for ever, if demanded, and the said hereby granted Premises, with all their privileges and appurtenances to be in especial trust to the said grantee and his said successors in said office forever to and for the use, intent and purpose of keeping, supporting and maintaining of a good school for the education of the Indian youths and children of said Tribe forever, where they are to be taught in a good and perfect manner by a skillful master at all times to read and write the English tongue and to cypher or understand Arithmetic well, and such as are so inclined are to be taught the Greek and Latin Languages, or either of them, well and as regularly and perfectly as possible and all these forever, and the whole profits and issues of said Island and its appurtenances and school shall be and remain to the Schoolmaster for the time being forever, who shall be a person well qualified for the above said office, and of a regular, good and sober life, who shall be nominated and appointed by the Governor and Council of the Said Colony for the time being forever (or the Major part of them) whenever a new Master shall be wanting, or an old one suspended by said Authority for unskillfulness in said office or for any fault or by death or any other means; and the said Governor and Council of said Colony for the time being are hereby authorized and desired to exercise the said authority over said School, lands and Masters and are desired at all times forever to inspect and direct all matters and things relating to the due and regular government of said School, lands and Masters forever, and the said Schoolmaster for the time being shall be at liberty at any time or times to take into said school for education in any or all the parts aforesaid, any or so many of the children or youths of the white inhabitants of said Charlestown or the Neighboring Towns in Narragansett, and upon such terms and conditions as the Governor of said Colony for the time being, or in his absence, the Deputy Governor of said Colony, shall approve of and allow upon application therefor by said Master for the time being to the said Governor (or Deputy Governor in his absence) for the time being forever and no otherwise.

To Have and too Hold the afore granted premises, with all the privileges, commodities and appurtenances thereto in any wise belonging, together with the said school house on said Island now standing to the said Henry Ward, Esq., Secretary of said Colony, for the time being and to his successors in said office for the time being forever, in especial trust and confidence for the sole use, intent and purpose of supporting and maintaining a good orthodox school in said Charlestown as aforesaid, and a good learned and orthodox schoolmaster for said school forever

to teach and educate the Indian children and youth of said tribe of Indians forever, and occasionally white children and youths as aforesaid and under the terms and conditions aforesaid and for no other purpose or intent whatsoever, and the present Schoolmaster, Edward Deake is to remain and keep said School for the present and he and all other succeeding masters of said school are hereby required upon all emergencies to apply to the Governor of said Colony and Council for advice and directions for the due management and guidance of said school and estate; and the said grantor and his five Counsellors do hereby covenant with the said grantee and his said successors that the said Premises hereby granted are absolutely free and clear of all Incumbrances and that I, the said Grantor, for myself and my successors, Sachems of said Tribe of Indians, do hereby covenant with the said Grantee and his successors in said office of Secretary that we will forever warrant and defend the same against the lawful claims of all and every person whatsoever: In Witness whereof We, the said Sachem and his five Counsellors have hereto set our hands and seals this tenth day of August in the eighth year of his present Majesty's Reign, George the third, King over Great Britain, &c., Anno Domini one thousand seven hundred and sixty-eight.

Witnesses,

[L. s.]

[L. s.]

[L. s.]

[L. s.]

[L. s.]

[L. s.]

RHODE ISLAND, &c., }
CHARLESTOWN, SS. }

On the day of September, A. D. 1768, personally appeared the above s^d Thomas Ninigret, Sachem, and his five Counsellors above s^d and acknowledged the above and forewritten instrument to be their act and deed.

Before me,

APPENDIX E.

DRAFT OF AN UNEXECUTED DEED ON FILE IN THE SECRETARY OF STATE'S OFFICE WITH REFERENCE TO THE INDIAN SCHOOL-HOUSE.

To all People to whom these Presents shall come, Greeting :

Know ye, that I, George Ninigret, Chief Sachem and Prince of the Narragansett Indians, in the Colony of Rhode Island and Providence Plantations in New England, in America, for and in consideration of the love and affection which I have and bear for and towards the people of the Church of England in Charlestown and Westerly, in the County of King's County, in the colony aforesaid, and for securing and settling the services and worship of God amongst them, according to the usages of that most excellent church within the said Charlestown, at all times forever hereafter, and also for and in consideration of the sum of Five Shillings of the currency of said colony, and of the old tenor, to me in hand actually paid by John Hill, Esq., Col. Christopher Champlin, both of said Charlestown and colony aforesaid, and Ebenezer Punderson, of Groton, in the County of New London and colony, who now officiates as a missionary from the Society, and was the first Episcopal of Connecticut, clerk, the receipt whereof I do hereby acknowledge, have given, granted, bargained, sold, enfeoffed, conveyed, and by these presents do fully and absolutely give, grant, bargain, sell, enfeoff and convey, unto the said John Hill, Christopher Champlin and Ebenezer Punderson, their heirs and assigns forever, to the use of the society for the Propagation of the Gospel in Foreign Parts, and their successors forevermore, (which Society were incorporated by Letters Patent under the Great Seal of England), one certain tract of land lying in said Charlestown, in the Colony of Rhode Island aforesaid, containing forty acres, and whereon the Church of England in said Charlestown now stands, in the occupation of the aforesaid Christopher Champlin, and is butted and bounded as followeth: Beginning at a stake with stones about it, thence running South 38 degrees, East 45 rods and a quarter, to a stone and heap of stones by the country road; and from thence Easterly as the road runs 128 rods, to a stake with stones about it; from thence North 14 degrees, West 40 rods to a small white oak tree marked on two sides; from thence South 50 degrees, West 12 rods to a stake and stones; and from thence a straight line to

the first mentioned corner; with all the erections and buildings standing on said premises, with all the woods, underwoods, pools, water and water-courses, with every other appurtenance and privilege of any sort belonging to the said tract of land, or in any wise appertaining, and the reversion or reversions, and the remainders, rents, issues and profits of all and singular the premises. To Have and to Hold, all and singular, the said tract of land and premises with every of their privileges, commodities and appurtenances unto the said John Hill, Christopher Champlin, and Ebenezer Punderson, their heirs and assigns forever, to the use, and benefit and behoof of the Society for the Propagation of the Gospel in Foreign Parts, and their successors forevermore, to be by the said Society forever thereafter applied and appropriated for the benefit of the Episcopal minister, for the time being, of the Episcopal Church in said Charlestown, in the said County of King's County, and his successors forever, and to and for no other use, intent or purpose whatsoever. And I, the said George Ninigret, do hereby, for myself, my heirs, executors and administrators and successors in said Sachemship and Principality, and every of them, covenant and warrant to and with the said John Hill, Christopher Champlin and Ebenezer Punderson, their heirs and assigns, and also to and with the said Society for the Propagation of the Gospel in Foreign Parts, and their successors, that I am at this present time and by right of indefeasible inheritance, the true, lawful and absolute owner and proprietor of the said premises, and the same are now free and clear of all manner of incumbrances whatever, and that I, my heirs, executors, administrators or successors, now do and forever shall and will defend all and singular the said premises, with their appurtenances, unto and to the use of them for the purpose aforesaid, against all claims and demands whatsoever. In Witness whereof, I have hereunto set my hand and seal, this 14th day of January, in the year 1745 old style, or 1746 new style.

GEORGE — C. NINIGRET.
mark.

Acknowledged the same day and duly recorded in the Town Clerk's office.

APPENDIX F.

DEED OF A LOT OF LAND, KNOWN AS THE "MISSIONARY LOT," FROM THOMAS NINIGRET, AS A SITE FOR AN EPISCOPAL CHURCH.

To all Christian people before whom these presents shall come, I, Nenegrata, Chief Sachem of ye Narragansett Country, son and heir of Nenegrata, late Sachem of said country, sendeth greeting, etc.

Know ye, that whereas my father, Nenegrata, together with the other Sachems of the Narragansett Country, were the right owners of the lands lying within the jurisdiction of this Colony of Rhode Island, etc., and inasmuch as since May Humphrey Atherton, and his associates, hath laid claim to said lands now lying vacant within the jurisdiction abovesaid, whereby I have been at an exceeding charge by reason of their molestations, besides with great cost and charge it hath been to this, Her Majesty's Colony of Rhode Island, etc., which amounteth almost to the value of all the lands abovesaid, and, forasmuch, as I am sensible that my father, Nenegrata, (whose undoubted heir I am,) was one of the sachems that owned said land, and for that it is well known that my father stood in true allegiance to the crown of England unto his death, and, forasmuch, as all the other sachems being dead, it was my father's by right of longest survivorship, but he dying, and I being his undoubted heir, being sensible of my own weakness for want of learning, being altogether illiterate of those endowments which the English have, did, therefore, make choice of several honest Englishmen, whome I had faithful confidence in, being inhabitants of this, Her Majesty's Colony of Rhode Island, to be my attorneys and trustees, who did, upon my behalf, solicit this honorable colony, who, after having heard my said attorneys, and also my antagonists, equally on both sides, without partiality, was graciously pleased to acknowledge me to be the heir of said Nenegrata, and to allow me the privilege of one of Her Majesty's subjects, inasmuch as my father and myself keep our allegiance to our Sovereign, and also caused a mapp of those vacant lands lying within this colony, (called by some the mortgage land,) which mapp was accepted by the honored assembly sitting at Newport, the first Wednesday of May, 1708. And, forasmuch, as to my own knowledge, the Colony of Rhode Island hath been at an exceeding charge about said land, even almost as much as it is worth, as aforesaid, and finding by experience that they were all along the best friends that my father and myself ever had in protection of us under their government, and for that, I, knowing my own inability, as aforesaid, and hoping for their further protection, have freely and clearly, by these presents, of my own voluntary will, without any compulsion, with the advice and consent of my attorneys, resigned us from me, my heirs, executors, administrators, and assigns

forever, unto the Governor and company of Her Majesty's Colony of Rhode Island, and their successors, all the right and title that I have in the vacant lands bounded within the jurisdiction of this colony of Rhode Island with the privileges therein contained or appertaining. To have and to hold forever, excepting only those lands which I reserve to myself of the said vacant lands where I now dwell, viz: the lands, privileges, and appurtenances, which in those bounds following; that is, beginning where the brook, that Joseph Davill's mill standeth, and runs into the Great Salt Pond, and so from said brook on a straight line, northerly, to Pesquosset Pond, and by the brook that runs out of Pesquosset Pond into Pawcatuck River, and so along the Pawcatuck River, westward, until it comes to Benjamin Burdick's bridge, and from thence southerly towards Wequopogue Brook until it meets with the grand road, and so along by said road eastward until it comes near to Christopher Champlin's new dwelling house, and from thence south to the great pond, or salt water, and so along by the pond side to the first mentioned bounds, as it is drawn out upon the draught of the vacant lands abovesaid, all which, within said bounds, I reserve to myself and my heirs forever, and do by these presents promise and engage for me and my heirs, etc., for and in consideration abovesaid never to dispose of the said land or any part thereof, without the free consent of the Governor and Company of Rhode Island, or their successors, etc. Moreover, I do freely and voluntarily engage by these presents, for me, my heirs, etc., that whatsoever land I shall dispose of within the tract I have reserved in the bounds abovesaid, that if I shall dispose of any of it, in any manner or way whatsoever, without the consent and approbation of the Governor and Company of this said colony or their successors, all that is so disposed shall be forfeited to the Governor and Company of this, Her Majesty's, Colony of Rhode Island, and the disposal shall be void to all intents and purposes.

In witness of this, my voluntary act and deed, I have hereunto set my hand and seal this twenty-eighth day of March, in the eighth year of Her Majesty's reign, and by the Grace of God, Queen of Great Britain, etc., *Annoque Dominus nostri*, 1709.

The marke of
NENEGRATE X SACHEM.

The marke of Passkhanash,
NENEGRATE'S X WIFE.

Signed, sealed, and delivered in
presence of us,

EDWARD GRAY,
SAMUEL BRADFORD,
JOHN SANFORD.

The marke of
COOKE X RUSTIN,

The marke of
SAWASTO, X

The marke of
INDIAN X EPHRAIM,

} Indian Counsellors.

We the trustees of the said Nenegrade, whose hands and seals are hereunto affixed, do freely consent and give our approbation to the above written promises as witness our hands and seals the day and year above written.

WILLIAM WANTON, (s.)
JOSEPH JENCKS, JR., (s.)
WILLIAM CHAMPLIN, (s.)
THOMAS FRY, (s)
SIMON SMITH, (s.)

Registered,

Per RICHARD WARD,

Recorder."

APPENDIX G.

Report of the Surveyor of the Indian Lands, made under
Chapter 800 of the Public Laws, and submitted
to Dwight R. Adams, George Carmichael,
Jr., William P. Sheffield, Jr.,
Commissioners.

GENTLEMEN:—Herewith I present my report and map of the Indian Reservation situated in the Town of Charlestown, Rhode Island, containing the results of the survey made in accordance with your instructions. I have endeavored to give all parties in interest a hearing and to produce a chart of the tribal land, showing the exact location of bounds, and to procure all the data and information in regard to the divisions and boundaries of the several tracts of land as herein set forth, as was possible.

There have been during the progress of the survey, about two thousand horizontal angles turned, three hundred and fifty corners and bounds determined, and between seventy-five and eighty miles of lines run; the aforesaid corners or bounds of the several tracts being mostly defined by marked trees and stones packed around them, some of them however are large heaps of stones or large peaked stones set on end. The survey was commenced June 3d, A. D. 1880, at Cross's Mills, in Charlestown. The initial point determined upon was 1537 $\frac{1}{1000}$ feet south and 2953 $\frac{1}{1000}$ feet east of a station on Bunker Hill located and determined by the Coast Survey. From this point the road was surveyed north four miles to the north side of the land owned by Thomas Rogers; starting from the initial point again, the Post Road was surveyed west to the forks of the road; thence surveying the north highway by King's Factory continued northerly four $\frac{1}{1000}$ miles from the point of beginning. At various points along these principal lines,

were stations made to run lateral lines east and west, conforming to the lines of the several parcels of land as set off and bounded by the Indian Council.

Another principal line was run from the east road, westerly, towards the Indian Meeting House; thence one branch run northerly to a point east of the Fannie Basim house; thence northwesterly over Whitford Hill to a point near a large rock by the Cedar Swamp, from which point a line was run through the Swamp connecting with the line of the highway on the west, by the Noka land; running the aforesaid Swamp line, on the south of the six lots, as laid off by Joshua Card, in 1812.

Not being satisfied with this line, we afterwards determined the north line of the six lots, and laid off the lots from this line as a base. The second branch starting from a point near the Meeting House run southwesterly to a point on School House Island; thence running westerly, connected with the highway, near the house of Potter Hoxie. A number of other lines were run, to determine the areas of the individual lands; also in locating land conveyed by deed.

The whole number of lots or parcels of land located is eighty-seven, ranging from two acres to one hundred and fifty acres, reference being had to the plat accompanying this report showing the present divisions of the land. There were three classes of land surveyed in order to comply with your instructions.

First—The Public land, owned in common by the members of the tribe.

Second—Individual lands, set off by the Indian Council to individuals, who were members of the tribe. They were entitled to all the rents and profits from the same, and it passed by heirship from parent to child. The manner of putting the individual members of the tribe in possession of their land was unique. A person wishing a tract of land to settle upon, made application to the Indian Council, and, if granted, the Council, with the applicant, went upon the ground and marked trees, or erected bounds around the tract; then, with the applicant standing upon the soil, some member of the Council would remove a piece of the turf from the ground and place it upon the head of the applicant, and place therein a twig; which ceremony was called crowning, and by this act putting them in full possession of the land. Often these ceremonies were attended with jovialty, as attested by the broken bottles at some of the prominent bounds.

Third—The deeded land. These tracts were sold at different

periods. The first, being a deed from Thomas Ninegret to William Welch, dated A. D. 1742. After the death of the Ninigrets sales of land were only made by grant of the General Assembly. The public land in the reservation comprises about one thousand acres, and is divided into several tracts or parcels, the largest being the Indian Cedar Swamp, including all the swamp and School House Island, area about six hundred acres. So far as I have been able to determine, the growth of cedar is fair within the swamp, portions around the edges, and some in the middle of the swamp, having been cut by the Indians, it being common property; all had access to the cedar, under certain regulations of the Indian Council.

The second tract contains one hundred and sixty-three and sixty-five one hundredths ($163\frac{65}{100}$) acres and is situated on the west of the land now owned by John Congdon and Jacob Perry, and west of the highway leading from Cross Mills to Carolina Mills. The aforesaid tract abutting upon the highway north of land owned by Jacob Perry, and is known as part of the east commons. A few acres of this land is cleared and is good tillage land; the larger portion is covered mostly with wood—oak and pine, the northern part being pine.

There is also another tract of twenty-one and sixty-five one hundredths ($21\frac{65}{100}$) acres, situated south of the land owned by Joseph Stanton heirs, pasture land and some wood; the soil is light.

The fourth tract, situated west of the west road and northeast of Watchang Pond, being an irregular tract and known as the West Commons; part of this tract is well wooded with heavy oak and maple. The eastern part is covered with pine and oak. The surface being irregular, is broken up with lines of ledges cropping out in some places presenting a flat surface, and in other places breaking out in bold and rugged lines of cliffs.

The fifth tract is known as the Fort Neck lot, area, nineteen and one-half ($19\frac{1}{2}$) acres, situated west of Cross's Mills, and south of the Post Road, and running from the road to Charlestown Pond. It is a level field with heavy loam, and easily cultivated. Upon this parcel of land are the ruins of an ancient fort, also a burying ground of the aborigines. There is also a small tract of public land situated east of Dudley Hopkins' and west of Brister Michel's land; area, $7\frac{1}{10}$ acres; covered with brush and some wood. In determining the boundaries of the individual lands, we have endeavored to run our lines in such portions of the fields as would avoid the cutting of brush and wood, locating as many of the corners or bounds as possible from one line.

There are three ponds within the bounds of this reservation, Watchaug Pond, Cockampaug or School House Pond, and Deep Pond. The extent and boundaries of Watchaug Pond have not been determined up to the writing of this report. It is a large sheet of water, situated upon the west side of the West Commons, with an outlet northwesterly into Pawcatuck river, and is an excellent pond for fish, its pickerel fishing having a reputation throughout the State. This pond was stocked a few years ago by the Fish Commissioners with black bass, of which some fine specimens have been caught.

Cockampaug, or School House Pond, is situated in about the middle of the tract surveyed, and south of the Cedar Swamp. It is a long and narrow pond, its length being about one mile, and contains an area of one hundred acres. It abounds with several varieties of fish, and has, at some points, a depth of water from eighteen to twenty-five feet. The pond is supplied by a few springs, the most notable of which is Cockampaug spring, situated southwest from the meeting house. The outlets to this pond are from the south end, one stream running southwesterly, and dividing the lands of Henry Champlin and Charles Cross, Esq.; thence running southerly and easterly, crosses the highway at a point formerly known as King's Factory, and enters Charlestown Pond south of the Post Road. The second outlet to this pond flows southeasterly into Deep Pond.

Deep Pond is a small sheet of water situated south of Cockampaug or School House Pond. It is surrounded on all sides by high land and has no apparent outlet; area, 22 acres. The deepest point located in the pond was 42 feet. At the time of the survey, the pond was eight feet below its high water lines, as shown along the rocks and trees. Cold Brook spring and stream is evidently an outlet of this pond.

The drainage area of these ponds covers about two-thirds of the territory surveyed.

The soil upon the tract of land surveyed rests upon granite rocks and consists in part of a clayey loam and a part sandy loam. Upon that portion with a clayey formation, the soil is naturally moist and retentive, producing good crops of grass, corn and potatoes. That portion with the sandy formation is partly covered with pine.

In making this survey I have had the assistance of Mr. Herbert B. Barton, a surveyor of Warwick, who has rendered me efficient aid during the work. He commenced work the third of August, and has taken unwearied pains in carrying out my instructions.

I would further say, that your surveyor is under many obligations to Mr. Benjamin Thomas in pointing out the different bounds and tracts of land. He was the record of the Indian reservation; it is safe to say that there is no man living of this once powerful people who retains and has so clear a knowledge of the descent of property and divisions of the land known as the Indian Reservation, as Benjamin Thomas.

Upon the west side of the swamp and pond, in addition to Benjamin Thomas, we had to employ George Burdick, Gideon Ammons, Henry Hazard, Edward S. Cone and Henry Champlin, to all of whom we were indebted for information respecting the location of the numerous bounds.

Annexed is a table containing the names of all persons who have assisted in the survey to January 1, 1881:

NAME.	OCCUPATION.	NO. DAYS.	AMOUNTS.
			DUE AND PAID.
John L. Kenyon.....	Surveyor.....	129	\$516 00
Herbert B. Barton.....	Assistant Surveyor.....	112	308 00
Silas Sheldon.....	Chainman.....	39	48 74
Charles Kenyon	"	37 1-2	46 87
Harry Fuller.....	"	36	36 00
Joseph Stanton.....	"	32 7-10	36 07
William Greene.....	"	52 5-10	58 75
Edwin Michael.....	"	19 2-10	19 20
Benjamin Thomas.....	Pilot.....	69	130 00
Henry Hazard.....	"	4 1-2	5 62
Gideon Ammons.....	"	11 7-10	14 62
Potter Hoxie.....	Axeman.....	29 7-10	37 12
Abe Johnson.....	"	3	3 00
Daniel Leggetts.....	"	1	1 25
Henry Champlin	"	1	1 00
Samuel Congdon.....	"	3 7-10	3 70
Edward Maxson.....	Chainman.....	2	2 00
Edwin Beck.....	"	2	2 00
Herbert Kenyon.....	"	2	2 00
			<hr/>
			\$1,271 94

Respectfully submitted,

JOHN L. KENYON,

Surveyor.

WYOMING, Feb. 1, 1881.

US 10326.16
~~533741~~

(Box on sh.)
State of Rhode Island and Providence Plantations.

SECOND ANNUAL REPORT

OF

COMMISSION

ON THE

AFFAIRS OF THE NARRAGANSETT INDIANS,

MADE TO THE

GENERAL ASSEMBLY,

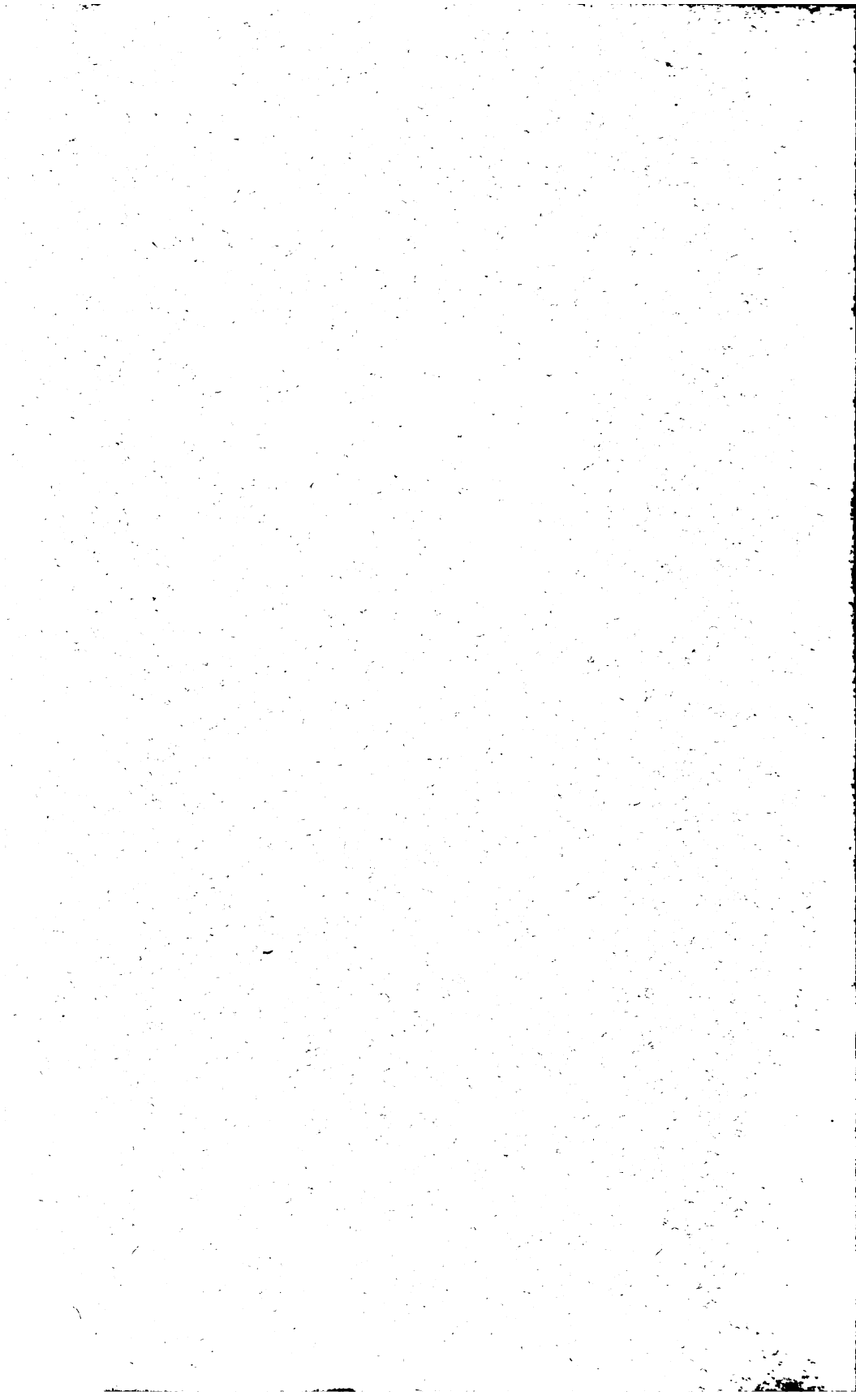
AT ITS

JANUARY SESSION, A. D. 1882.

PROVIDENCE:

E. L. FREEMAN & CO., PRINTERS TO THE STATE.

1882.



State of Rhode Island and Providence Plantations.

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SECOND ANNUAL REPORT

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AT ITS

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²PROVIDENCE:

E. L. FREEMAN & CO., PRINTERS TO THE STATE.

1882.

1884. Jan. 19

Letter

P. D. Hart & Co.

REPORT.

*To the Honorable the General Assembly of the State of Rhode Island
and Providence Plantations, at its January Session, A. D.,
1882 :*

The undersigned, Board of Commissioners, appointed under Chapter 800, of the Public Laws, passed at the January Session, A. D., 1880, in accordance with the provisions of said act herewith present their second report :

At the time of their last report to your Honorable Body in January, A. D., 1881, your Commissioners had heard and determined the different questions referred to them in relation to the membership of the Narragansett Tribe of Indians and the boundaries of the public lands released to the State by the tribe. And immediately thereafter, their determination of these matters was presented to the Supreme Court, sitting within and for the county of Washington, at its next ensuing term, on the third Monday in February, as required by Section 4 of said Chapter 800 of the Public Laws, together with a plat of the public lands conveyed to the State. This report of your Commissioners continued before the Court for its action thereon, by adjournment from time to time until the 19th day of August, when a decree was entered amending and confirming the same. The list of members of the tribe as finally determined contains three hundred and twenty-four names (*See Appendix,*) and the individual share of the purchase-money for the said lands due each member amounted to fifteen dollars and forty-three cents.

Your Commissioners proceeded to pay to each member of the tribe the share due to him or her as thus determined. Some delay arose at first in deciding what form of voucher should be used in drawing upon the General Treasurer and State Auditor under the different provisions of the resolution passed at the May Session, A. D., 1880, appropriating the five thousand dollars and the act of May, A. D., 1881, in reference to the same, which was afterwards overcome. The members of the tribe in the meantime were anxious to receive their money, since their Council had executed the conveyance to the State over a year before and they had been without the use of the public lands during that period, and the undersigned accordingly appointed September 13th at the office of the General Treasurer in Providence and September 15th at the Indian Meeting House in Charlestown as the days for payment. Your Commissioners endeavored to give as public notice of these meetings as possible, because many of the members of the tribe have no fixed place of abode and are widely scattered and lately have become more so, rendering it difficult to reach many of them. Both of these meetings were largely attended, especially the one at the Indian Meeting House. The latter meeting the General Treasurer kindly consented to attend and to pay the orders of the Commissioners to the holders at once, thus preventing any advantage being taken of the members of the tribe by the negotiating of the orders through others. Nearly all the members of the tribe have now been paid except a very few whose money now awaits them in the hands of the General Treasurer. Of the orders unpaid one is to *Samuel Champlin*; the members of the tribe generally allege in regard to this name, that they know of no other person by that name than Samuel R. Champlin, whose share has been already paid and no person has appeared to claim this order. The order of Mrs. Catherine Stanton, also, has not been drawn, as Mrs. Stanton refuses to take it, alleging that she is afraid she may thereby prejudice any further claim she may have as heir to the Ninigrets.

With the payment of this purchase money to the tribe, your Commissioners have finished that part of their duties which had relation to the Tribe or its members and the sole duty left for them is to

provide for the sale and to sell the lands conveyed to the State. After the distribution of this money it seemed too late, owing to the time required by the act (Chapter 800) that notice should be given before a sale and because of the delay of the surveyor in furnishing suitable plats for the purpose, to offer the land for sale during the autumn of A. D., 1881 and it was deemed more advantageous to have the sale thereof made in the spring than in the winter when some parts of the land would be difficult of access.

There have been several minor questions which have occupied the attention of your Commissioners. One of these has been the condition in which disputes between individual members of the Tribe with reference to their private lands has been left. In this matter the action of your Commissioners has been to leave the parties to their remedies, as citizens, considering that the Legislature did not by the language of Section 4 of Chapter 800 of the Public Laws confer power upon them to determine these questions, if indeed it could. For the conveyance from the Indian Council to the State expressly reserves all individual lands to their owners and the title to the same is confirmed to them. Therefore the General Assembly could hardly give to your Commissioners the power to determine the title of these individuals to their lands in case of conflict, to decide their disputes about their boundaries or to partition their estates between heirs, without the intervention of a jury trial, while such an investigation would have greatly extended the length of time necessary to settle the questions arising out of the tribal relations of the Indians. All the parties now have the same remedies in these matters that other citizens have in similar cases. In all cases, except where both parties have voluntarily submitted their controversies to your Commissioners for determination and the question involved was not very important, your Commissioners have declined to act in the premises, but even in these cases they have acted as referees between individuals rather than as Commissioners acting under authority of the State.

The members of the Tribe, however, have desired the Commissioners to lay before your Honorable Body the condition in which these individual lands now are, and the consequences that may arise

from it. In many cases the private lands have not been divided among the heirs for several generations and the owners in common of certain tracts are now very numerous and widely scattered and in some cases capable of being ascertained only with difficulty; so that when the town of Charlestown taxes the land, by reason of the number of owners and their ignorance of the laws of the State, the lands in many cases will be sold for taxes, below their value and the owners deprived of their property. The remedy of suing in the Court of Common Pleas or the Supreme Court for a partition, they say, is inadequate on account of the expense in proportion to the little value of the land, and in most cases the parties cannot be brought to agree upon arbitration on account of petty jealousies. This same cause renders it difficult to dispose of these lands, as they have no record evidence of their title to the same. This subject your Commissioners present to your Honorable Body, as requested without expressing any opinion thereon, as they do not regard it as coming within the duties assigned to them to consider.

In this connection your Commissioners would refer to the records of the Indian Council, which have been kept by the Council Clerks for a number of years and contain much matter of importance with reference to the tribal and individual lands, especially the assignment and setting off of the bounds of the private lands. These should be preserved and kept in a place open to the public inspection — and properly belong to the State, being included in the common tribal property conveyed to it. These records are now in the possession of Mr. Benjamin Thomas, late President of the Indian Council. Your Commissioners have several times requested the Council to deliver them up for the purpose of depositing them either in the office of the Secretary of State or of the Town Clerk of the town of Charlestown, but the Council have neglected to deliver them. What action if any should be taken in this matter your Commissioners respectfully submit to your Honorable Body.

The Commissioners further submit to your Honorable Body, as in their preceding report, what action, if any, should be taken by them in regard to the large ponds included in the public lands and to the

Indian Fort on *Fort Neck*. Your Commissioners during the past year have held fifteen formal meetings, two of which have been of a public character.

As early as practicable in the spring it is proposed to sell the lands conveyed by the Indian Council to the State, dividing them into suitable lots for sale. This will probably be in May or June, when the woodland is in full foliage, and it is hoped that by this sale the State will realize some part, at least, of the sum which it has expended in bringing the tribal relations of the Indians to a close.

Since the passage of the act dissolving the tribal relations and admitting the members of the Tribe to all privileges of citizenship of this State, the Indians have almost completely assimilated themselves with the body of surrounding citizens without disturbance or ill-effect, and the anomaly of a class of people in the State and yet not a vital part of the State has wholly passed away. This change has removed a disorganizing influence from the town of Charlestown, while adding, to some extent, to its taxable property and bringing advantages both to the tribe and its neighbors.

In conclusion, your Commissioners expect during the present year to bring their work to a close in a completion of the duties assigned them by your Honorable Body, trusting that while the expense and time devoted to the accomplishment of their duties under the law may have been greater than at first anticipated, the State may never regret its action in the manner of terminating its relation with the Narragansett Tribe of Indians.

DWIGHT R. ADAMS,
GEORGE CARMICHAEL, JR.,
WILLIAM P. SHEFFIELD, JR.,
Commissioners.

FEBRUARY, 1882.



APPENDIX.

The names of persons, members of the Narragansett Tribe of Indians, who are each equitably entitled to one equal proportionate share of the sum of five thousand dollars to be paid by the State of Rhode Island as purchase-money for the tribal lands of said Narragansett Tribe of Indians, as decreed by the Supreme Court, August 19th, A. D., 1881, viz. :

Gideon L. Ammons	68 years of age.
Joseph Ammons.....	70 "
Candiz A. Ammons.....	31 "
Alexander R. Ammons.....	32 "
Geo. G. Ammons.....	24 "
Mary E. Ammons.....	23 "
Clarence G. Ammons.....	3 "
Josephine Ammons.....	30 "
Emma J. Ammons.....	22 "
Hettie Ammons.....	born Jan. 26th, 1876.
Hannah Brown.....	69 years of age.
Lewis C. Brown.....	22 "
Mertie P. Brown.....	26 "
Elliot E. Brown.....	5 months.
Laura P. Brown.....	20 years of age.
Ellen T. Brown.....	18 "
Catherine Brown.....	40 "
Winfield S. Brown.....	26 "
George A. Brown.....	24 "
Esther R. Brown.....	27 "
Esther Brown.....	3 "
Henry H. Brown.....	29 "
Sarah A. Brown.....	25 "
Thaddeus Brown.....	7 "
Frederic V. Brown.....	5 "
Theodore D. Brown.....	3 "
John E. Brown.....	33 "
Isabella E. Brown.....	19 "
Elizabeth Bent.....	39 "

Joseph Bent.....	49 years of age.
Wm. H. Bent.....	33 "
Ida F. Bent.....	5 "
Joseph Brant.....	8 "
Anna Babcock.....	37 "
D. A. Babcock.....	18 "
Emma Babcock.....	14 "
Charles Babcock.....	12 "
Anna Babcock.....	8 "
Minnie Babcock.....	5 "
Cora Bell Babcock.....	2 "
Francis Babcock.....	6 weeks.
Maria E. Blunt.....	
Edward S. Cone.....	56 years of age.
Mary Cone.....	49 "
Etnah Cone.....	7 "
Annie M. Cone.....	20 "
Sarah C. Cone.....	22 "
Mary R. Cone.....	25 "
Francis Cone.....	6 "
Charles H. Cone.....	30 "
Henrietta F. Cone.....	10 "
Frederick Cone.....	8 "
Mary Jane Cone.....	44 "
Lydia Champlin.....	39 "
Samuel R. Champlin.....	31 "
Henry Champlin.....	60 "
Sarah Champlin.....	76 "
Mary R. Champlin.....	29 "
Hannah F. Champlin.....	33 "
Elizabeth Champlin.....	70 "
Mary Champlin.....	40 "
Betsey Champlin.....	63 "
William Champlin.....	35 "
George H. Champlin.....	23 "
Ida Champlin.....	21 "
Abraham R. Champlin.....	44 "
Sarah Champlin.....	37 "
Henrietta Champlin.....	15 "
Abraham L. Champlin.....	13 "
Charles A. Champlin.....	11 "
Frederic D. Champlin.....	9 "
James H. Champlin.....	5 "
Grace Champlin.....	1 "
Samuel Champlin.....	29 "
Prascilla Champlin.....	46 "
Susan Champlin.....	42 "
Benjamin R. Champlin.....	38 "

Ellen M. Champlin.....	17 years of age.
Jane R. Champlin.....	14 "
Walter H. Champlin.....	9 "
Mary A. Carpenter.....	48 "
Elizabeth Congdon.....	32 "
Matilda Congdon.....	73 "
Samuel Congdon.....	43 "
Mary A. Congdon.....	25 "
Hettie L. Congdon.....	2 "
William H. Congdon.....	7 "
Victor E. Congdon.....	5 "
Oseola Congdon.....	4 months.
Martha Creighton.....	56 years of age.
Charles Clarke.....	40 "
Charlotte Conway.....	53 "
Samuel Conway.....	12 "
Gideon Conway.....	14 "
Susan Conway.....	16 "
Ruth Crandall.....	99 "
Nancy Crandall.....	32 "
Sarah Ann Crandall.....	11 "
Oliver Crandall.....	6 "
Kate G. Crandall.....	3 "
Francis Cooper.....	49 "
Ida Cooper.....	20 "
Addie Cooper.....	17 "
Nancy Ann Fairweather.....	52 "
William Fairweather.....	17 "
Hannah Fairweather.....	47 "
William R. Fairweather.....	21 "
Sumner Fairweather.....	18 "
George E. Fairweather.....	16 "
Martha A. Freeman.....	49 "
Hannah S. Gardner.....	39 "
Alvaldo C. Gardner.....	18 "
George C. Gardner.....	16 "
Benjamin G. Gardner.....	53 "
John B. Gardner.....	27 "
Ella I. Gardner.....	18 "
Mary M. Gardner.....	born Feb. 13, 1880.
Alexander K. Gardner.....	37 years of age.
Mary Ann Gardner.....	
Fidelia Green.....	34 "
William Green.....	17 "
Henry K. Greene.....	9 "
Leonora H. Greene.....	7 "
Alice M. Greene.....	5 "
Augustus F. Greene.....	3 "

Charles F. Greene.....	8 months.
Daniel Harry.....	
George Harry.....	
Mary Harry.....	
Georgianna Harry.....	
Lydia Harry.....	
Hannah Harry.....	
Luther Harry.....	
Augustus Harry.....	
Eliza Ann Harry.....	
Elizabeth Jane Harry.....	
Minnie G. Harry.....	
Ida May Harry.....	
Ruth E. Harry.....	
William Harry.....	
Hannah M. Hazard.....	28 years of age.
Henry N. Hazard.....	5 "
Grace E. Hazard.....	1 "
Sarah Hazard.....	46 "
Howard B. Hazard.....	20 "
Frank Hazard.....	30 "
Perry G. Hazard.....	43 "
Caroline Hazard.....	33 "
Amy Hazard.....	78 "
Lucy Hazard.....	35 "
James M. Hazard.....	54 "
William H. Hazard.....	58 "
Sarah M. Hazard.....	53 "
Mary Jane Helme.....	28 "
Mary F. Helme.....	5 "
Abbie F. Helme.....	33 "
Elizabeth R. Helme.....	32 "
George H. Helme.....	6 "
Ethel Helme.....	4 "
David A. Helme.....	1 "
George C. Henry.....	32 "
Mary E. Henry.....	9 "
Charles H. Henry.....	4 "
George T. Henry.....	6 months.
Mary Ann Hopkins.....	54 years of age.
Nathaniel Hopkins.....	69 "
Anna M. Hopkins.....	19 "
Amy Hopkins.....	15 "
Mary C. Hopkins.....	13 "
Sarah T. Hopkins.....	10 "
Susan F. Hopkins.....	8 "
Adelaide Hopkins.....	3 "
Nellie M. Hopkins.....	11 months.

Luke H. Hopkins.....	65 years of age.
Dudley Hopkins.....	58 "
Charles H. Holmes.....	17 "
Lydia Harris.....	26 "
Eliza L. Hilton.....	32 "
Clarence Hilton.....	12 "
Ellen L. Jackson.....	18 "
Mary A. Jones.....	63 "
Charity Johnson.....	44 "
Alvin Johnson.....	20 "
Thomas Johnson.....	17 "
Rosa Johnson.....	14 "
Eliza Johnson.....	7 "
Abbie F. Johnson.....	38 "
Susan D. Johnson.....	13 "
Charles Z. Johnson.....	10 "
Anna S. Jones.....	" "
Harris W. Johnson.....	8 "
Herbert Z. Johnson.....	7 "
Mary Z. Johnson.....	4 "
Gideon Michel.....	33 "
Augusta A. Michel.....	30 "
John E. Michel.....	21 "
Ada F. Michel.....	21 "
Brister Michel.....	49 "
Mary A. Michel.....	47 "
Walter R. Michel.....	24 "
Albert B. Michel.....	20 "
Mary C. Michel.....	18 "
Edwin E. Michel.....	15 "
Sarah J. Michel.....	8 "
Hazard E. Michel.....	4 "
Rhuahama Malbone.....	108 "
Daniel Moody.....	75 "
Mary A. Moody.....	64 "
Eliza Moody.....	40 "
Louisa Moody.....	18 "
Jane Moody.....	22 "
John Moody.....	5 "
Elizabeth Moody.....	19 "
Nane Moody.....	13 "
Benjamin G. Noka.....	35 "
Gideon Noka.....	39 "
Peter Noka.....	72 "
John H. Noka.....	21 "
Lydia Noka.....	25 "
"Baby" Noka.....	2 months.
Joshua H. Noka.....	62 years of age.

James H. Noka.....	29 years of age.
Nancy I. Noka.....	28 "
John N. H. Noka.....	24 "
Joshua H. Noka, Jr.....	20 "
Alfred H. Noka.....	18 "
Mary L. Noka.....	15 "
Eva I. Noka.....	5 months.
Sarah A. Noyes.....	29 years of age.
John W. Noyes.....	born March 24, 1870.
Charles F. Noyes.....	born Feb. 14, 1876.
Christopher Noka, son of Moses.....	
Frank E. Nichols.....	29 years of age.
Georgianna Nichols.....	6 "
Mabel Nichols.....	4 "
Charles Nichols.....	2 "
Grace Nichols.....	5 months.
Hannah Nichols.....	67 years of age.
Olive Nichols.....	27 "
George Nichols.....	33 "
Priscilla Nichols.....	75 "
Edward Noka.....	59 "
Elizabeth Olney.....	40 "
Daniel Primus.....	71 "
Elizabeth Primus.....	44 "
Francis N. Perry.....	55 "
Lyman F. Perry.....	25 "
John H. Perry.....	29 "
Jean Perry.....	16 "
Elizabeth Perry.....	22 "
William L. Perry.....	7 "
Mary F. Perry.....	1 "
Sophronia Perry.....	33 "
Lillie H. Perry.....	7 "
Mary J. Peters.....	11 "
Sarah F. Peters.....	9 "
Charles E. Peters.....	2 "
Salome Robinson.....	41 "
Sarah A. Robinson.....	60 "
Thomas Rogers.....	76 "
Angelina Rogers.....	69 "
Hannah Rice.....	49 "
Grizelda Rice.....	21 "
Lewis Rice.....	19 "
Claudine Rice.....	9 "
Frederick Rice.....	7 "
Mary Rodman.....	
Hannah Rodman.....	
Catherine Stanton.....	

Joseph B. Stanton.....	18 years of age.
Katie L. Stanton.....	16 "
Mary A. Stanton.....	13 "
Horatio S. Stanton.....	11 "
Hannah M. Stanton.....	9 "
Jeremiah Stanton.....	7 "
Daniel Sekater.....	39 "
Daniel Sekater, Jr.....	18 "
Mary A. Sekater.....	16 "
William R. Sekater.....	33 "
Johannah F. Sekater.....	33 "
Mary E. Sekater.....	13 "
Grace E. Sekater.....	11 "
Alice S. Sekater.....	9 "
Clarence E. Sekater.....	6 "
Ann E. Sekater.....	4 "
Sarah E. Sekater.....	2 "
Mary E. Sullivan.....	24 "
Mary Sampson.....	35 "
Elizabeth Sias.....	50 "
Nellie Sias.....	15 "
Ann Sias.....	8 "
George G. Sias.....	38 "
Benjamin Thomas.....	58 "
Samuel Thomas.....	37 "
Gertie Thomas.....	6 "
Belle Thomas.....	7 "
Courtlandt Thomas.....	4 "
F. D. Thomas.....	34 "
Anna Thomas.....	5 "
Benjamin F. Thomas.....	30 "
Lizzie Thomas.....	9 "
Caroline Thomas.....	7 "
William Thomas.....	4 "
Lorenzo Thomas.....	2 "
Thomas H. Taylor.....	30 "
Thomas H. Taylor, Jr.....	8 "
George Ellery Wilcox.....	
John Wilcox.....	
Lois E. Williams.....	
Othniel S. Wilcox.....	31 "
Ida Wilcox.....	8 "
Amy A. Wilcox.....	7 "
Sarah Wilcox.....	4 "
Patience M. Wilcox.....	11 months.
Hannah Wilcox.....	65 years of age.
Sarah Watson.....	63 "
Hannah B. Watson.....	21 "

Esther Watson.....	61 years of age.
Anne Wilson.....	28 "
Sarah Weeden.....	18 "
Ida Weeden.....	26 "
George E. Weeden.....	2 months.
Hannah White.....	49 years of age.
Rosella S. Watson.....	43 "

STATE OF RHODE ISLAND, &C., WASHINGTON, SC.

CLERK'S OFFICE, SUPREME COURT, September 9, A. D., 1881.

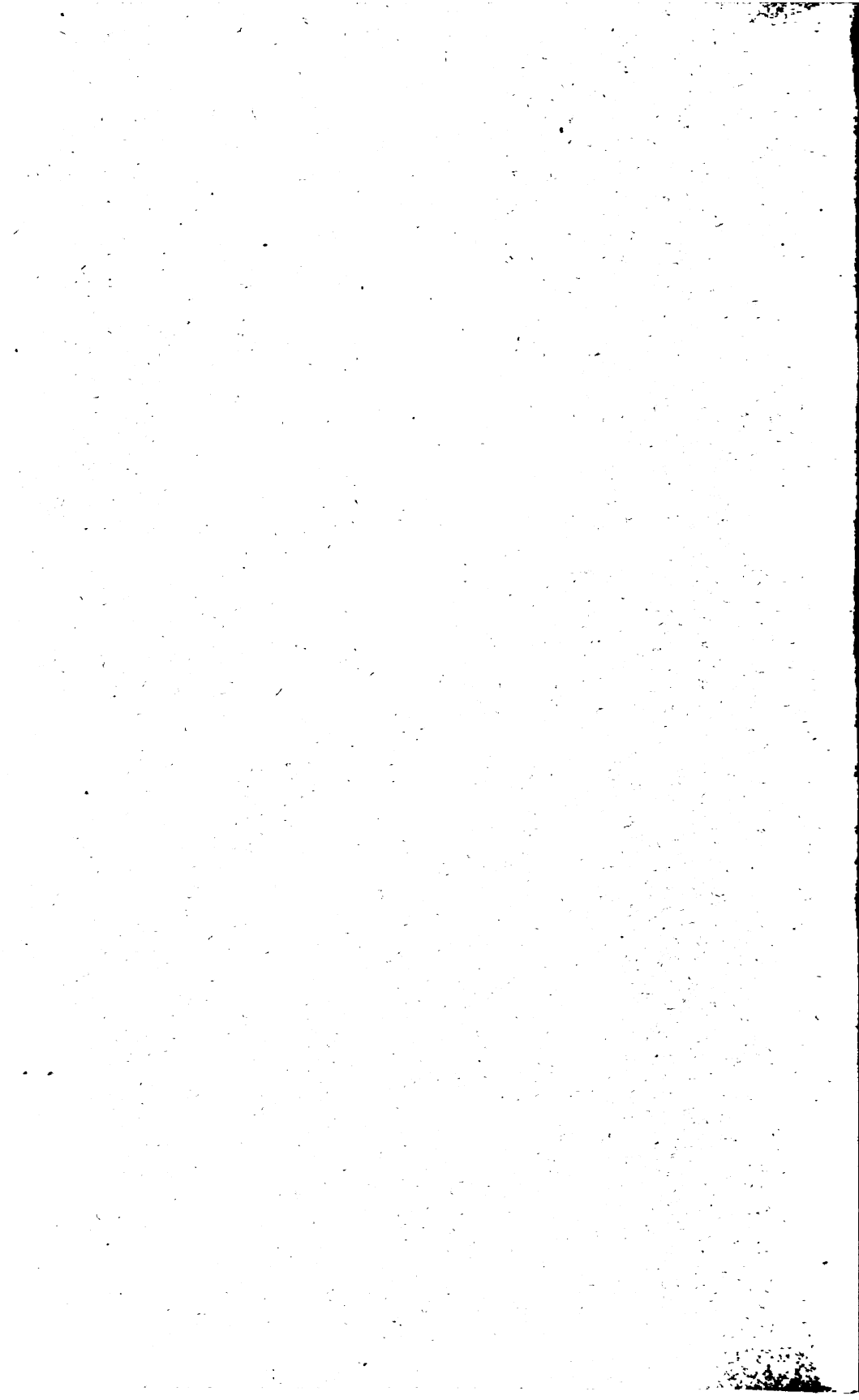
I certify the foregoing to be a true list of the names of persons members of the Tribe of Narragansett Indians entitled to an equal share of the sum of five thousand dollars, as appears by decree of said Court, entered fifth day August Term, (August 19th,) A. D., 1881, on file in said office.

JOHN G. CLARKE, *Clerk.*

533711
State of Rhode Island and Providence Plantations.

THIRD ANNUAL REPORT
OF
COMMISSION
ON THE
AFFAIRS OF THE NARRAGANSETT INDIANS,
MADE TO THE
GENERAL ASSEMBLY,
AT ITS
JANUARY SESSION, 1883.

PROVIDENCE:
E. L. FREEMAN & CO., PRINTERS TO THE STATE.
1883.



State of Rhode Island and Providence Plantations.

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1883.

Number 10

1874
Chas. C. C. C.

REPORT.

To the Honorable General Assembly of the State of Rhode Island, and Providence Plantations, at its January Session, A. D. 1883.

The commission organized under the provisions of Chapter 800 of the late series of the Public Laws, beg leave to make this their third and final report. At the time of the making of their last annual report, the Indian lands conveyed to the State remained undisposed of, and the disposition of said lands was then the final duty which devolved upon the commission by the act of the legislature under which the commission was organized.

The commission caused the lands to be replatted, deeming it to be for the interest of the State that the land should be sold in smaller parcels than it had been divided upon the plat which the law required to be filed in the clerk's office, so as to bring into competition for their purchase, men of small means, and thereby they hoped to realize a larger price for the lands.

It should be remembered that from the first settlement of the colony, that the Indians have, from time to time, been allowed by the General Assembly to sell parcels of their land, and that the purchasers sought and obtained the most valuable lands, and that the reservation in Charlestown were lands which hitherto had not found purchasers. For if any person had desired to purchase any lands of the Indians, the Indian Council would have found a pretext for selling them, and the Legislature has always been reluctant to refuse to grant the requests made by the tribe; and thus the best of the lands were all sold, excepting only a small parcel about the Indian fort,

which the Legislature has resisted all attempts to sell. The Indians have always been in the habit of granting from the public or tribal lands, to members of the tribe, parcels of land to be held in severalty, and by these processes the lands available for profitable culture were first sold to persons not members of the tribe, and the members of the tribe were allowed to select from the remaining lands such as they preferred, and these were held in severalty, leaving the refuse lands which were conveyed to the State. These lands comprised nine hundred and twenty-two acres, of which about five hundred and fifty acres were in the cedar swamp, twenty acres in the "Fort Neck" lot, and the balance of hilly, rocky land, or of sandy plains; and the latter tracts were covered mostly with scrub pines and oaks, with very little valuable wood.

The Commission deemed it best to bring these lands upon the market at mid-summer, and indulged a hope that perhaps some of those who were then seeking rest at the sea-side might be induced to become purchasers thereof. They advertised the lands for sale by auction in the newspapers as provided by law, and, in addition, had printed and posted throughout Washington county, four hundred hand-bills, with a view to giving greater publicity to the said sale, and at the time named, July 11th, 1882, at ten o'clock A. M., at the Indian meeting-house, and on the following day, near Cross's Mills, at the Fort Neck lot, in the presence of a considerable number of persons, they offered the same for sale upon the terms prescribed in the act under which the Commission was organized, and sold the same for the prices named in the schedule hereto annexed. (See Appendix A.)

Your Commissioners were disappointed at the prices realized at the sales for the lands, but at the same time they are constrained to say that the lands are of very little value, and that it is doubtful if the purchasers will find their investments to be remunerative.

They reserved the Indian fort, one hundred and eight feet square, and the three Indian ponds from sale, and the title to these remains in the State. The fort should be fenced to preserve its outlines from destruction. The deeds to the lands were executed by the General

Treasurer, who has received the purchase money. The deeds were executed in the form prepared by the Attorney General.

Recurring for a moment to the earlier labors of the Commission, the undersigned may be allowed to say that from the beginning their labors have been embarrassed by a division among the members of the tribe. In the first instance, one party was for selling the lands, while the other was opposed to the sale. Then one party was for a very strict construction of their tribal usages, while the other was in favor of exercising a very great latitude in judging of membership. While the many persons who appeared before the Commission differed from one another in almost everything else, they agreed in believing it to be a distinguished honor to have descended from the Narragansett Indians; and the rivalry, which at times became intensely exciting, in establishing their claims to what they regarded as the honor of tribal membership, was beyond the pecuniary interest they had in the proceeds of the tribal lands.

The Commission examined hundreds of cases, and heard the testimony of hundreds of witnesses, and, after all, had to grope their way in the darkness through a mass of conflicting testimony, guided by principles not settled by adjudicated cases; but by principles evolved from the practices and usages of the State and of the tribe, applied to general principles of public law.

The candidates for tribal membership of every complexion appeared before the Commission,

“From glossy black to shining white.”

Some of them bearing no indication that they were not of pure African descent, while others it was difficult to distinguish from persons of equally pure Caucasian origin. Among the acknowledged members of the tribe were men of great sagacity, of marked ability and characteristic determination. The other party were often represented by counsel, and they claimed that every person, however remotely, who was descended from an ancestor who had been a member of the tribe, even though the claimant had never been on the tribal lands or within the

State of Rhode Island, was entitled to be recognized as members of the tribe.

After much consideration the Commission came to the conclusion that an Indian might abandon his tribal relation, and that the tribe might adopt a person into the tribe who was not descended from a member. That the abandonment of the tribal relation, or the adoption of a member into the tribe should be evidenced by clear and unequivocal acts of the tribe and the person affected, and this conclusion opened a door for the admission of the large amount of parole evidence which the Commission received.

The results of the action of the Commission and of the Supreme Court upon this mass of evidence is already before you. The plats made under the direction of the Commission have been filed with the town clerk of the town of Charlestown.

There remains in the hands of the General Treasurer the sum of fifteen dollars and forty-three cents, awarded, apparently by mistake, to Samuel Champlin, but as no person is known by that name the said money might be covered into the Treasury of the State.

Since the last annual report the secretary of the late Indian council has delivered to the Commission the records of the tribe. These contain the orders, expenses and accounts of the tribe since the year 1850, together with occasional memoranda before that time, on separate sheets of paper, and are of some importance to the Indian owners of lands in severalty and their future grantees, as they also contain entries of the setting off, divisions and bounds of these lands. Considering it proper to have these records accessible to the public, the Commission have deposited them in the office of the town clerk of the town of Charlestown, until your honorable body shall direct a different disposition of the same.

In making up this report your Commissioners are impressed with the fact that they are recording the last act in the history of the Narragansett tribe; that they are closing the relations between the State and a once powerful tribe, with which the history of our ancestors, the founders of this State, is intimately connected, and may not your

Commissioners be pardoned for dwelling for a moment upon the story of this tribe and the relations it has sustained to the State in concluding this report.

The first dealings of those who inhabited what is now the State of Rhode Island with the Narragansett tribe of Indians, were founded on the principle that the soil belonged absolutely to the Indians, and could only be taken by strangers upon such terms and conditions as the Indians chose to part with it. This arose partly from the fact that the first colonists came almost helpless to the hospitable Narragansetts, but chiefly from that firm conviction of the rights of man, whether civilized or savage, which had led Roger Williams, in Massachusetts, to attack the validity of the patent, and to question the right of King James to send his subjects into the Kingdom of Massasoit uninvited.

It was, therefore, with the free will of the Indians that the people who gradually formed a colony, settled by their side and when, without interference from other communities, the infant colony and the powerful tribe continued together in peace. Of the character of this relation we have the following testimony; Williams in an official letter in 1654, as president of the colony, to the General Court in Massachusetts says: "I can not yet learn that it ever pleased the Lord to permit the Narragansetts to stain their hands with English blood, neither in open hostilities or secret murders;" and Canonicus in conversation with Williams once said: "If I speak the truth, I have never suffered any wrong to be offered to the English since they landed, nor never will. If the Englishman speak true, if he mean truly, then shall I go to my grave in peace, and hope that the English and my posterity shall live in love and peace together."

On account of the troubles of the settlers at Warwick with their neighbors in Massachusetts, the Narragansetts became involved in a quarrel with Pomham, who appears to have been encouraged to throw off his allegiance to his chief. And, as a result of these controversies, probably expecting to be thereby protected from the English in the Massachusetts colony, the Narragansetts chieftains, in 1644, with the full assent of their tribe, subjected themselves and their lands to the

English Crown by a deed procured through the influence of Gorton and the Warwick settlers. (See 1 Col. Rec., p. 134.) This submission to the Crown, after the Restoration, was renewed and accepted by Charles II., in 1663, who promised protection and the rights of subjects to the Indians.

When the Rhode Island colonists settled among the Indians they claimed and exercised no jurisdiction over them. The early acts of the colony were binding only on its citizens, regulating their trade with the Indians, and forbidding them to sell arms, ammunition and liquor to the Indians. The colony soon, however, began to punish slight offences of the Indians, committed in their settlements, by trial before a magistrate; in graver offences they turned the offender over to his chief for trial and punishment. This jurisdiction of the colony to try Indians by the common law was gradually extended, probably by reason of their submission to the English Crown, and in 1673 we find the colony trying an Indian for the murder of an Indian, and impanelling a jury of six Indians and six Englishmen to determine the case. (See 2 Col. Rec., p. 509.)

The Narragansetts afterwards came to regard the colony as their protector against the other colonies and a mediator between them and the King; while the colony found itself forced to assume jurisdiction over the tribe in order to preserve its territory from the settlers who were pressing in upon the "Narragansett country," from Massachusetts and Connecticut, and subjecting themselves and their plantations to those jurisdictions. The Indians, too, frequently made improvident bargains in the sale and mortgage of their lands, and Rhode Island passed laws forbidding their sale without the consent of the colony, and these laws were frequently re-enacted by the Legislature.

The murder of Miantonomi, followed soon after by the death of the aged Canonicus, left the tribe less united under any one chief, at the same time alienating them from all friendly and sincere intercourse with the Connecticut and Massachusetts colonies, and brought Rhode Island still more into the position of protector of the Indians. This

relation is fully recognized and provided for in the charter of Charles II., which recites that the Rhode Island colonists "are seized and possessed by purchase and consent of the said natives to their full content of such islands, rivers, harbors and roads as are very convenient," and that "they have, by near neighborhood to and friendly society with the great body of the Narragansett Indians, given them encouragement, of their own accord, to subject themselves, their people and lands unto" the English Crown, and which grants to the colonists "the right to direct, rule, order and dispose of all other matters and things, and particularly that which relates to the making of the purchase of the native Indians, as to them shall seem meet."

This development of the relations of the State and the Indians, by which the State became at length the guardian of the Indian, and extended its jurisdiction over his person, though interrupted by the Indian war of 1676, was after that accelerated.

At the opening of the war, the Rhode Island colonists, more familiar with the feelings of the Indians and the injuries they had suffered, endeavored to avert the out-break. Yet, when war was inevitable, they furnished assistance and shelter to the other colonists and profited by the results of the war.

At the close of hostilities, large numbers of the Indians had been killed, some had escaped to more distant tribes, and great numbers were sold and distributed among the colonists as servants, some even were transported to the West Indies. Of the tribe which consisted of two thousand fighting men before the war, scarcely two hundred warriors were left with Ninigret. As Ninigret and his Niantic Indians had taken no part in the war, they were allowed to remain unmolested in the rough and swampy country between the Westerly and Kingston settlements. For a time, on account of the disturbed state of the "Narragansett country," while the question of its jurisdiction was in dispute, the colony seems to have exercised little control over the affairs of the tribe. Upon the death of the elder Ninigret, which occurred soon after the close of the war, his daughter succeeded, but was shortly followed by his son by a second

wife, the younger Ninigret. Trustees were appointed by the General Assembly to aid him in the management of his affairs, and continued to act in conjunction with him even after he came of age.

In 1708, the colony attempted to settle permanently the affairs of the country. A committee was appointed to have the lands surveyed and to agree with Ninigret as to "what may be a sufficient competence of land for him and his people to live upon." John Mumford made a plat of the lands, and Ninigret, March 28th, 1709, executed a deed to the State conveying all lands except a tract reserved for the tribe. This established the bounds of the present reservation, and from this time the Legislature has continued to exercise complete control over the tribe. The deed was signed by the King in the presence of his counsellors as witnesses, and his trustees gave their assent to the deed. (See copy of this deed, Appendix F to the Report of Commission, to January Session, A. D. 1881.)

The vacant lands about this reservation were thereupon sold by the State, and the settlers upon them soon began to press upon the reservation and to make purchases of land, leases of the same, and to cut off the wood. So that the General Assembly, in 1713, declared all purchases void, directing prosecutions for trespass, and forbidding all sales without the consent of the colony. (Laws of Rhode Island, 1745.) In 1717 three overseers were appointed for Ninigret, to lease out his lands and dispossess all trespassers. They were continued in office during the pleasure of the General Assembly, and new overseers were appointed from time to time. This same year the tribe were exempted from suits for debt. The younger Ninigret died about 1722, and was succeeded by his son Charles Augustus. About 1727, the Society for the Propagation of the Gospel in Foreign Parts erected a church upon what is known as the "missionary lot," though it was not till afterwards that the deed of the land was executed. The various records of the colony with reference to this church are gathered in Appendix B. Dr. Daniel Williams of London also left an estate for the propagation of the gospel among the Narragansetts, and the Congregational minister of Westerly was the missionary under this fund

for some years prior to 1736. Thus early were efforts made by these two denominations of Christians to bring the Indians under the civilizing influences of the gospel.

At the death of Charles Augustus, his minor son Charles was sachem for a short time, to be succeeded by his uncle, George Ninigret. Under this sachem considerable land was sold to pay his debts and those of his predecessors. (See Laws of Rhode Island, 1745.)

Upon the succession of Thomas Ninigret in 1746, (son of George) the habits of the surrounding settlers were largely introduced among the tribe. He had visited England, and afterwards built him a large house on the "post road," where he lived after the manner of the better class of English settlers. He married, April 23d, 1761, Mary Whitfield of Newport. From his habits of living he incurred a large amount of indebtedness, which resulted in a sale of all the more valuable land of the tribe. In 1759, for a time, all restrictions on the sale of their lands were removed. About this time the power of the Indian council became greater than it had been before, and they several times petitioned the General Assembly, on behalf of the tribe, against the sale of the lands occupied by the individual members of the tribe, and endeavored to have the lands belonging to the King divided from that which the tribe used.

Some time before the reign of King Thomas Ninigret a school had been established among the Narragansetts. A Mr. Drake had been a teacher among them for fourteen years prior to 1755. The General Assembly, in 1767, endeavored to obtain a deed of the island on which the school house now stands, from the King to the State, but he refused to sign the same. A copy of the records of the colony with reference to the attempted conveyance of this island is hereto annexed. (See Appendix C.)

Queen Esther, the daughter of Thomas Ninigret, was crowned with imposing ceremony after her father's death in 1770. She in turn was succeeded by her son George, who died during the Revolution. Since then the Indian council, chosen by annual elections, have directed the internal affairs of the tribe.

After the Revolution, in 1792, an effort was made to reorganize the affairs of the tribe on a permanent basis. A committee was appointed who drew up regulations, at Charlestown, for the government of the tribe, and determined various controversies. An act was passed defining who were members of the tribe, and who could vote for the election of the council. A treasurer was appointed in whose name suits for trespass were ordered to be prosecuted. The tribe continued to be represented by a treasurer until, upon their petition in 1818, the treasurer was removed and the office abolished.

In 1795 an enumeration of the tribe was ordered, and many members at that time moved to lands given to them on the reservation at Brotherton.

For some years the affairs of the tribe seem to have run on smoothly, and legislative interference was not needed except for the purpose of granting occasionally leave to sell their lands. In 1839, however, a committee who had been appointed to investigate their affairs, reported at length to the General Assembly, calling attention to the fact that, since the office of treasurer had been abolished, there was no one to represent the tribe in resisting the encroachments of trespassers, and thereupon the office of commissioner of the tribe was created. The commissioner represented the Indians in the courts of the State, and advised with the council in the internal management of their affairs, reporting annually to the Legislature. At this time the school was supported by aid from the State for the benefit of the tribe.

In 1830 a committee was appointed upon the affairs of the tribe, who reported, somewhat at length, at that time. Mary Harry, the daughter of Queen Esther, was, according to that committee, the largest land owner in the tribe, having in her possession about three hundred acres of land. At that time school was kept in the school house, by the missionary society in the summer season, and by the Indians in the winter, when the number of scholars was usually from forty to fifty.

In 1849, with the authority of the General Assembly, the tribe

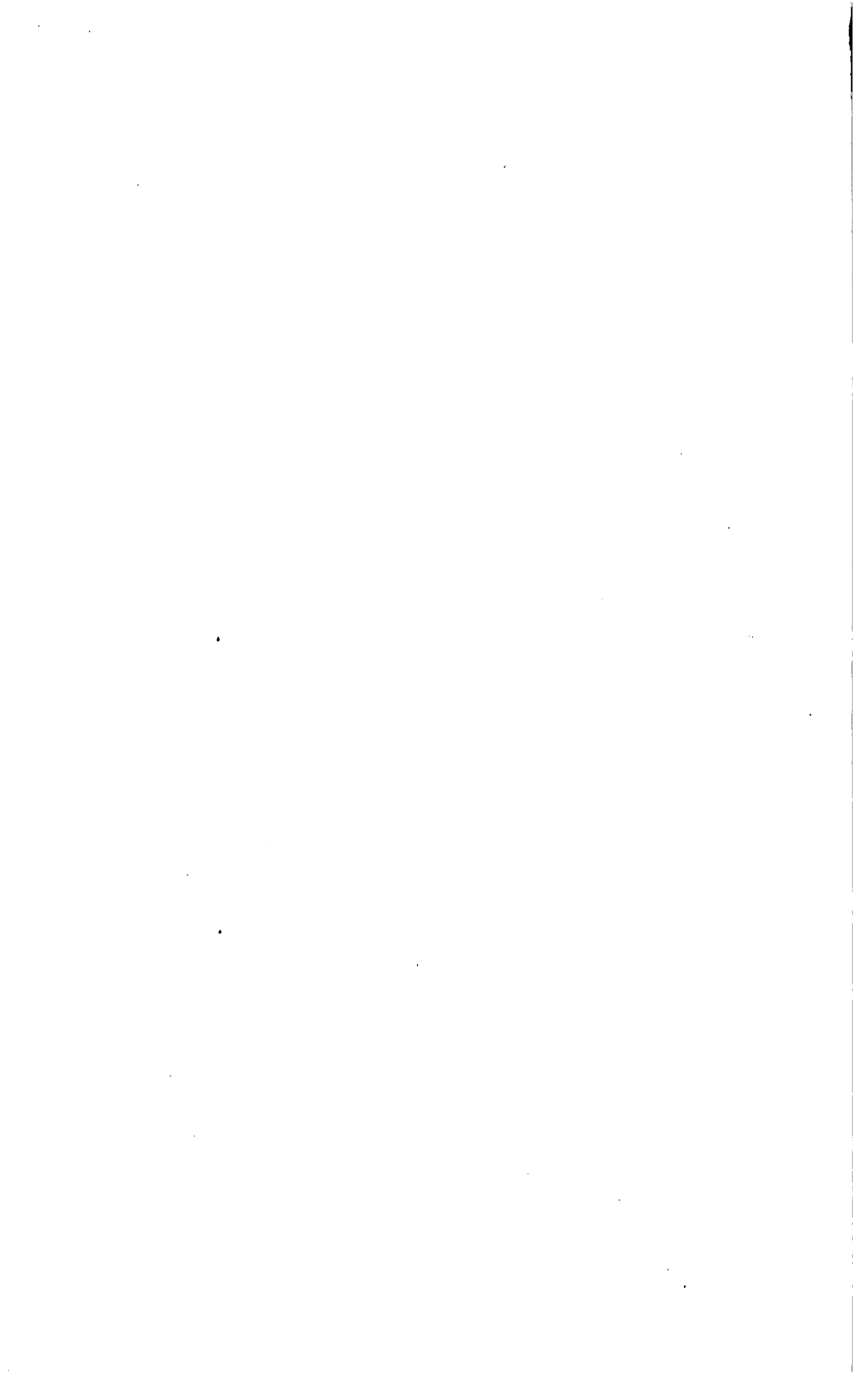
adopted a constitution for its government, which regulated the minor details of its internal affairs. (See Appendix D.) The more recent efforts of the State to abolish the tribal relations are familiar to all. The spirit in which these advances on the part of the State were met by the tribe, is set forth in the report of a committee to the General Assembly, January, 1867, as follows:—

“A majority of the Indians, including the governing class, were evidently opposed to changing the existing relations to the State. They wished to be let alone in governing themselves. They objected to being taxed, to being subject to the draft, and especially to being made liable to be sued. They professed to be indifferent to the privileges of citizenship, and to set a low value thereon.” And with these feelings the tribe has continued to exist as a separate community within the State, but subject only to its jurisdiction in criminal matters, up to the present time.

This relation which has existed for nearly two hundred and fifty years is now terminated, and the name of the Narragansett tribe now passes from the statute books of the State. No portion of its past legislation does Rhode Island cherish more, and upon no page of its history does it point with greater pride, than upon its dealings with the Narragansett Indians. The debt of gratitude that it owed for the protection and assistance which it had early received, the State has amply repaid by the protection and care which it has bestowed upon the descendants of its benefactors. Mindful of these historic associations, your commissioners have endeavored faithfully to perform the duties which your honorable body assigned them, and to deal with all questions submitted to them in such a manner that there may be nothing to reflect discredit on our State, and that Rhode Island may look back hereafter with the same satisfaction upon the termination of its relations with the tribe, with which it regards the long course of its dealings with the Narragansett Indians.

DWIGHT R. ADAMS, GEORGE CARMICHAEL, JR., WILLIAM P. SHEFFIELD, JR.,	}	<i>Commissioners.</i>
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January, 1883.



APPENDIX A.

LIST OF LOTS OF LAND SOLD, PURCHASERS' NAMES, THE ACRE- AGE, AND PRICES, AT PUBLIC AUCTION, JULY 11TH AND JULY 12TH, 1882.

Lot No. 26 (School house)....	Benjamin Thomas.....	28.21 acres,	\$100 00
Lot No. 25 (swamp).....	Charles B. Palmer.....	25	6 00
Lot No. 24 "	Perry H. Hazard.....	30	6 00
Lot No. 23 "	Perry H. Hazard	26.94	2 50
Lot No. 22 "	John L. Kenyon.....	29	12 00
Lot No. 7 (east side).....	Carmichael Mfg. Co....	37.92	47 40
Lot No. 6 "	Dudley Hopkins.....	21.65	5 00
Lot No. 5 "	Dudley Hopkins.....	7.3	10 25
Bridget George land (west side)...	Charles Burdick.....	20.77	20 77
Onion land "	Charles Burdick.....	10.9	10 90
West common (west part).....	Charles Burdick.....	32.46	16 23
West common (east part).....	George F. Burdick.....	50.33	25 17
Lot No. 15 (swamp).....	John L. Kenyon.....	45.48	13 00
Lot No. 16 "	Perry H. Hazard	26.89	4 50
Lot No. 17 "	P. D. Tucker.....	26.89	3 00
Lot No. 18 "	P. D. Tucker.	26.89	4 00
Lot No. 19 "	John L. Kenyon.....	26.89	14 00
Lot No. 20 "	P. D. Tucker.....	22	6 25
Lot No. 21 "	Charles Burdick.....	16.38	10 00
Lot No. 14 "	Benjamin F. Crandall...	26.9	6 50
Lot No. 13 "	Millen S. Greene.....	31.42	7 50
Lot No. 12 "	Joshua H. Noka.....	26.89	4 75
Lot No. 11 "	Joshua H. Noka.....	26.89	3 00
Lot No. 10 "	Joshua H. Noka.....	26.89	5 75
Lot No. 9 "	John L. Kenyon.....	26.89	8 25

APPENDIX B.

RECORDS WITH REFERENCE TO THE ESTABLISHMENT OF THE EPISCOPAL CHURCH UPON THE RESERVATION OF THE NARRAGANSETT TRIBE OF INDIANS.

It is enacted and declared by the General Assembly of this colony that ten or twenty acres of land be laid out in the town of Westerly, out of the land of Ninigret (he desiring the same) for the erecting thereon a house for worship, according to the form of the Church of England; or for erecting of a meeting house thereon (he desiring it) for the use of any other society, or societies, and the trustees that are or shall be appointed to manage Ninigret's affairs by the government, to lay it out where they shall think it most convenient for a church or meeting house upon said Ninigret's request.

4 Colonial Records, p. 397. (1727.)

Whereas, Charles Augustus Ninigret, sachem of the Narragansett Indians, by memorial to this Assembly, did set forth that there was an act of the Assembly, made and passed at Warwick in the year 1727, ordering that ten or twenty acres of the memorialist's land should be laid out by a committee therein named, whereon to build a house for public worship, if the memorialist should desire the same; and in consequence thereof the majority of the committee (the memorialist being present and desiring it) did mark out a convenient place for said purpose; upon which spot the members of the Church of England, in Westerly, did, at the memorialist's earnest desire, and at their proper charge, erect a house for public worship, in the way of the Church of England; but the land granted by the aforesaid act, for the said use, never having been laid out nor properly conveyed by deed, the memorialist requested that twenty acres, at least, of his land be ordered forthwith to be laid out and duly conveyed for the use of the

Church of England, and in that part of it where said house or church is built: which, being duly considered, be it enacted by the General Assembly, and by the authority of the same it is enacted, that Col. Joseph Stanton, Capt. John Hill, and Mr. William Babcock, or any two of them, be and they are hereby appointed and empowered to lay out twenty acres of land as in the above memorial is prayed for, and that Ninigret be and he is hereby empowered to pass a deed for the due conveyance of the said twenty acres of land to the present minister of the Church of England, in Westerly aforesaid, and to his successors, to and for the use of said Church; which deed, so passed, shall be good and valid in the law for the purpose aforesaid.

4 Colonial Record, p. 501. (1735.)

Whereas, George Ninigret, sachem of the Narragansett Indians, did represent to this General Assembly that his late deceased brother, Charles Ninigret (who was sachem of the Narragansett Indians), did in his life time give twenty acres of land as a glebe to and for the Church of England in Charlestown, in said colony; but his said brother dying before he had made and executed a deed for the same, the said George Ninigret, therefore, requested leave of the General Assembly that he might by a proper deed for that purpose establish said twenty acres to and for said church; and also to give and convey twenty acres more of his land in said Charlestown for the same use, in such place as shall be agreed on by himself and trustees. Upon consideration whereof it is voted and enacted that the said George Ninigret be and he is hereby allowed to pass a deed for the said twenty acres of land given by his said brother, Charles Ninigret, and also for the twenty acres of land that he gives himself to and for the use of the church in Charlestown aforesaid, in such place or places as he and his trustees shall think proper; and that such deed or deeds so given by him as aforesaid, shall be good and valid in the law for the uses therein designed to all intents and purposes whatever.

5 Colonial Record, p. 123. (1745.)

For the deed from George Ninigret, chief sachem and prince of the Narragansett Indians, to Ebenezer Punderson, and others, for the use of the Society for the Propagation of the Gospel in Foreign Parts, of the above land, see Appendix E to the report of the Commission to the January Session, A. D. 1881.

APPENDIX C.

ACTS OF THE LEGISLATURE RELATIVE TO THE INDIAN SCHOOL HOUSE.

This Assembly, taking into consideration the letter from Andrew Oliver, Esq., laid before this Assembly at the last session, do vote and resolve, and by and with the consent of Thomas Ninigret, sachem of the Narragansett tribe of Indians in this colony, it is voted and resolved that the said Thomas Ninigret and five of his council, make, execute and give to the secretary of this colony a good and legal deed of an island in a certain swamp in Charlestown, in this colony, containing about three acres, whereon stands a school house, for the use of a school for said tribe of Indians forever; with the privilege of a convenient passage to and from the same; that Matthew Robinson, Esq., be and he is hereby appointed to draw the said deed, and see the same executed; and that the whole charge accruing thereon be paid by said tribe. 6 Col. Rec. p. 534. (1767.)

Whereas, this Assembly at their session in October, 1767, passed an act appointing Matthew Robinson, Esq., to draw a deed to be executed by Thomas Ninigret, late sachem of the Narragansett tribe of Indians in this colony, and five of his council, to the secretary, of an island in Charlestown, for the use of a school for the said tribe of Indians, and to see the same executed, etc., as by the said act will appear; and whereas, the said Thomas Ninigret hath since deceased, without having executed the said deed; it is therefore voted and resolved that the said act be revived, and that the present queen of said tribe, with five of her council, be and they are hereby fully empowered to make, execute and give such a deed as in the said act is mentioned. 7 Col. Rec. p. 24. (1770.)

For draft of deed see Appendix D to Report of Commission to General Assembly, January, 1881.

APPENDIX D.

CONSTITUTION OF THE NARRAGANSETT INDIAN TRIBE, CHARLESTOWN, STATE OF RHODE ISLAND.

We, the undersigned members of the Narragansett Indian tribe, do severally agree that it will be for our mutual benefit to have certain laws and regulations, whereby all our town affairs may be managed for our own benefit, and for the benefit of our poor, the improvement of our lands and of our wood lots, and in order to carry our intention into practice, we the undersigned, members of the tribe, do hereby covenant and agree to live by such laws and regulations as shall be made for the best good of the whole, according to the grant given us by the General Assembly in 1849.

Section 1. We further agree that the direction and management of our own affairs, and of the public funds, and public lands shall be intrusted into the hands of five men, who shall be chosen from the tribe, to constitute a council (three of said council shall be a quorum), and all questions to be determined by the agreement of three of said council at any legal meeting.

Section 2. This council shall have a president, a clerk, and a treasurer, and shall keep a regular account of the fund affairs of said tribe. The treasurer shall be a responsible man, and be responsible for all sums intrusted to his care. All moneys shall be paid to the clerk, who shall keep a regular account of the same and pay it over to the treasurer for the benefit of said tribe.

Section 3. We further agree that it shall be the duty of the president to preside over all meetings, preserve order, and destroy all tie votes, etc. In his absence some other one may take the chair. The president shall have full power to call a meeting of the tribe, when in his judgment such meeting is for the benefit of said tribe. The regular meeting and the specified meetings of the tribe may be at such times as the council and the tribe may in their judgment think best.

Section 4. We further agree that each member of this council shall have a fair price per day for their services (the price of the season), when such service is

performed by said council for the tribe; all except the president, and he shall have twelve per cent. per day more than any other man of the council.

Section 5. We further agree that these men shall hold their offices for one year, or until others shall be elected in their places. In case any of them shall be removed by death, or remove or prove unfaithful to said trust, or neglect to attend three successive meetings, his name may be dropped and some other member of the tribe chosen in his stead for the remainder of the term.

Section 6. We further agree that the clerk and treasurer shall be furnished with such books and paper as is necessary for them, which said books and paper shall be delivered up to their successors in said offices; and it shall be the duty of the council to give permits, to every lawful member of said tribe, to go into the swamp and cut and draw out upon their own premises, stuff and sufficient for their own fuel and fences, but not to sell to any person; and shall also be allowed to pay any person for drawing stuff out from the swamp, unless that stuff be used upon said tribe's lands; and in case any person cut any stuff in the swamp, and that stuff remain in the swamp one year, that stuff is forfeited and the council shall take it and use it upon the tribe's public lands.

Section 7. We further agree that all lands belonging to said tribe, that is land let or rented by the council to any person or persons, shall be let with a view to the improvement as well as the profit. The council shall see that the young wood is not cut to waste for hedge or for hoop poles; but have the land made and so much wall made, and so much hay, straw, storks and corn fodder on the place as the wants of the town will allow; and all fencing stuff that is taken from said tribe's swamp left on the place.

Section 8. We further agree that it shall be the duty of the council, whenever there is any pauper or poor come to the town for help, to see that his or her membership is legal, and, if so, see that they are comfortably provided for; also to keep the meeting house and school house in good order.

Section 9. We further agree that it shall be the duty of the council to have a common seal, and no person be allowed to draw from the treasurer without being legally ordered by said council; and in each and every year said council shall make out a full and fair account of all matters and things, have a town meeting, and have all the doings of said council read and explained to said meeting.

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State of Rhode Island and Providence Plantations.

FOURTH ANNUAL REPORT

OF THE

COMMISSION

ON THE

AFFAIRS OF THE NARRAGANSETT INDIANS,

MADE TO THE

GENERAL ASSEMBLY,

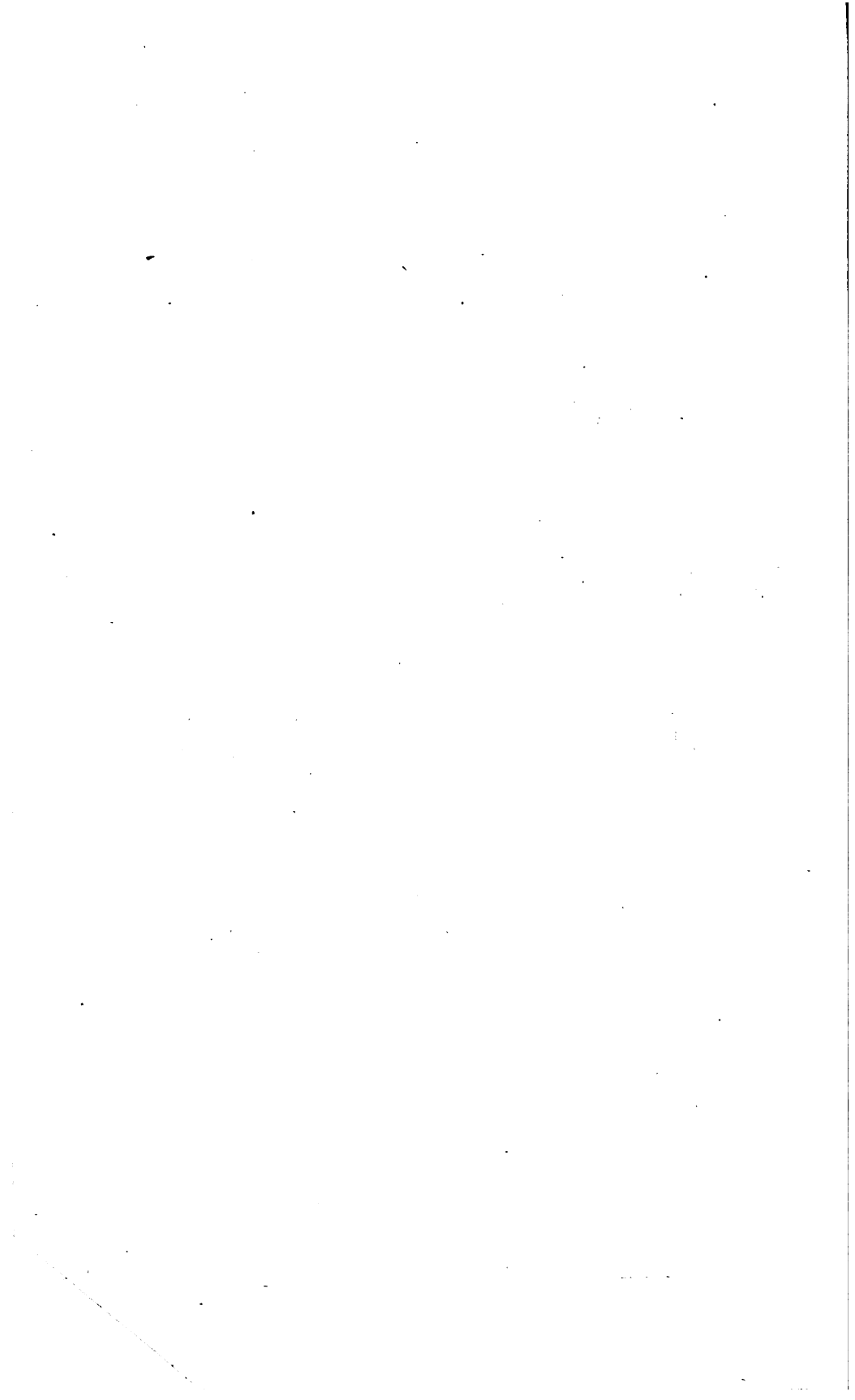
AT ITS

JANUARY SESSION, 1884.

PROVIDENCE:

E. L. FREEMAN & CO., STATE PRINTERS.

1884.



State of Rhode Island and Providence Plantations.

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FOURTH ANNUAL REPORT

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AT ITS

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²PROVIDENCE:

E. L. FREEMAN & CO., STATE PRINTERS.

1884.

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P. A. 100. 6. 1881.

REPORT.

To the Honorable General Assembly of the State of Rhode Island and Providence Plantations, at its January Session, A. D., 1884.

The undersigned, Commissioners of the Narragansett Tribe of Indians, directed at the last January Session of your Honorable Body, to superintend the erection of a suitable memorial at *Fort Neck*, in the town of Charlestown, respectfully present their report :

Your commissioners, in the absence of special instructions from your Honorable Body, have been obliged to determine in their best judgment, the form and character of such memorial. Considering the action of your Honorable Body herein, and the historic associations which have bound the State and the tribe together, they have decided that the memorial erected to commemorate such events, to be appropriate, should be simple, natural and enduring ; and believing no granite column, shaped by the hand of man, would be a suitable monument to the Narragansett Indians, your commissioners determined to procure a boulder, sufficiently imposing in size, and so shaped by nature, as to readily receive an inscription to denote the purpose for which it was placed. On account of the level character of the country in the immediate vicinity of the Old Fort, it was necessary to go some little distance to the neighboring hills, where, with considerable care a suitable boulder, weighing about five tons, was selected and with much difficulty was removed to the centre of the reservation at *Fort Neck*, where a proper foundation had already been prepared. About the boulder thus placed, an iron fence was erected, as more ornamental and permanent than any other suggested,

and it was deemed best in erecting this, to place it upon the outlines of the fortification to mark its form and protect it from encroachment. This extended fence being nearly eight hundred feet in length, slightly increased the expense over what had been previously estimated for an appropriation, as had also the difficulty of removing the boulder. Your commissioners, to relieve the treeless plain in which the fort is immediately situated, had some evergreen trees planted at the several corners of the fortification, and in the contract for the planting of the trees it was agreed that trees thus transplanted should be replaced in case of their failure to grow. A small sum was also expended in removing loose stones and slightly grading the reservation about the fort. These and other expenditures somewhat exceeded the sum appropriated by your Honorable Body. An account of said expenditures is hereto annexed (*Appendix A.*). The balance of said sum was paid out of an unexpended balance heretofore appropriated by your Honorable Body, to be paid on the order of your commissioners, which appropriation of said fund it is hoped will meet the approval of your Honorable Body.

While your commissioners were engaged in these labors, they were made mindful that their work was creating an interest in the community, not only in the immediate vicinity, but throughout the State. The Rhode Island Historical Society and students of our local history taking special interest therein. It was deemed proper to give an opportunity for this sentiment to express itself. The original inhabitants of this State have been really and nominally assimilated with the civilized white men who emigrated to them, and, after nearly two hundred and fifty years of friendly relations, first as host to the outcast wanderers, then of equally allied nations, and finally of a State extending its protection to its dependent wards, your Honorable Body had determined at its termination to erect some monument of that relation upon those lands which had longest remained in the possession of the Indians and their descendants. A memorial stone had been erected by your commissioners upon a spot of ground by nature picturesque, jutting prominently out into the Great pond, and which held the outline of a former fortification.

This fort too, from its distance from the Pawcatuck river, was probably the Indian Fort at which Capt. John Mason stopped on his way to the Pequot War, before it had been remodelled by the hands of the white man; an outpost, possibly, in those wars between the Niantics and Pequots, which were so constantly waged for the possession of the country between it and the Pawcatuck river, and which were afterwards revived in the boundary disputes of the colonies of Rhode Island and Connecticut for the jurisdiction of the controverted territory, and it is interesting to believe that, because those Niantics held their own and followed the Pequots, pursuing them towards the Thames, the disputed territory was finally awarded to the jurisdiction of the Colony of Rhode Island, succeeding to the inheritance of its great Indian Tribe of the Narragansetts.

Considering these things your commissioners determined upon the completion of the memorial, to hold a public dedication, at which all who chose could be present. Accordingly, Thursday, August 30th, A. D., 1883, was selected. The Rev. Frederic Denison, who had always taken a great interest in and been a frequent writer about the Indians of our State, was invited to deliver an oration appropriate to the occasion, and Mr. Millen S. Greene was invited to read a poem. The Rhode Island Historical Society appointed a committee of its members, consisting of Ex-Governor Elisha Dyer, and Messrs. Isaac H. Southwick, Charles Gorton and B. B. Hammond to represent it at the exercises. The following inscription has been cut upon the sloping side of the boulder, which is set facing the south.

“FORT NINIGRET,

MEMORIAL OF THE NARRAGANSETT AND NIANITIC INDIANS, THE UNWAVERING
FRIENDS AND ALLIES OF OUR FATHERS.

ERECTED BY THE STATE OF RHODE ISLAND.

DWIGHT R. ADAMS,	} COM'S.
WILLIAM P. SHEFFIELD, JR.,	
GEORGE CARMICHAEL, JR.,	

1883.”

The day selected proved to be auspicious for the occasion. The gathering of citizens was large, nearly all parts of the State being represented (*Appendix B.*). Commissioner Carmichael presided, making the opening address (*Appendix C.*). He was followed by His Excellency, Governor Bourn, after which, in good time, came the oration; a poem was read and addresses made by several distinguished citizens of the State. Burnside Post, G. A. R., No. 2, fifteen members, Charles Cornell, commander, tendered an escort to the Governor and other officials, and a select choir, organized by Dr. A. A. Sanders, rendered national songs, appropriate for the day. A report of the proceedings is herewith presented to your Honorable Body. With these interesting exercises the task of your commissioners was terminated. Too much importance can hardly be placed upon the influence of the Narragansett Tribe of Indians, in fostering the early inhabitants of this State, in making possible the independent existence of the Colony which preceded the State, and in extending and determining the present jurisdiction of this commonwealth. Rhode Island has never sought to ignore, but rather to pay, this debt of gratitude, in guarding the memory of the Indians who lived within her borders. It is acting in view of these feelings that your commissioners have hoped to meet the approval of your Honorable Body.

DWIGHT R. ADAMS,	} <i>Commissioners.</i>
GEORGE CARMICHAEL, JR.,	
WILLIAM P. SHEFFIELD, JR.,	

January, 1884.

APPENDIX A.

AN ACCOUNT OF THE EXPENDITURES AT FORT NINIGRET.

1883.

July 25.	Joseph Ledwood, monument, &c.....	\$166 00
30.	Willet L. Beverly, trees and setting.....	80 00
Oct. 16.	Wm. Prestwick, building iron fence.....	519 75
Dec. 24.	G. Carpenter, services rendered commissioners	5 50
	George H. Ward, " "	50 00
	D. C. Kenyon, " "	5 50
	J. Matteson, " "	4 00
	G. W. Hoxie & Co., " "	18 50
	P. E. Sisson, " "	40 00
	J. W. P. King, " "	4 00
	E. Maxson, " "	2 25
	D. Seketer, " "	3 00
	O. Collins, " "	8 00
	H. W. Torber, " "	9 60
	H. P. Allen, " "	14 75
	Joseph Ledwood, " "	12 87
		<hr/>
		\$952 22

APPENDIX B.

Among the many present may be mentioned Gov. Augustus O. Bourn, with aids-de-camp Cols. Arthur H. Watson and George H. Utter; Elisha Dyer, Jr., Adjutant General; Charles R. Dennis, Quartermaster General; Elisha H. Rhodes, Brigadier General; George M. Carpenter, a Judge of the Supreme Court; Joshua M. Addeman, Secretary of State; Samuel Clark, General Treasurer; Samuel H. Cross, State Auditor; Francello G. Jillson, Speaker of the House of Representatives; Thomas B. Stockwell, Commissioner of Public Schools; Ex-Governor Alfred H. Littlefield; Senator Nelson W. Aldrich and Representatives Jonathan Chace and Henry J. Spooner, of our Congressional delegation. State Senators—Olney Arnold of Pawtucket; Henry L. Greene, of Warwick; Thomas C. Peckham, of Coventry; Phineas O. Littlefield, of South Kingstown; Joseph C. Church, of Charlestown; Z. Herbert Gardner, of Exeter; William H. Spooner, of Bristol; Joseph H. Babcock, of Richmond; Horace L. Crandall, of Hopkinton; James M. Wright, of Foster; Henry A. Stearns, of Lincoln, and Lewis B. Smith, of Barrington. Representatives—Dwight R. Adams and Stephen T. Arnold, of Warwick; George Carmichael, Jr., of Charlestown; Melville Bull, of Middletown; Clark H. Burdick and William C. Townsend, of Newport; Royal C. Taft, of Providence; Jesse L. Moss, Jr., of Westerly; Charles J. Greene, of Richmond; James C. Collins, of North Providence; Josiah P. Palmer, of Hopkinton; Thomas W. Chace, of East Greenwich; Daniel R. Southwick, Jr., of South Kingstown; Edward L. Freeman and George P. Grant, of Lincoln; Lucius F. C. Garvin and John F. Clark, of Cumberland. Christopher Holden, Sheriff of Providence County; Elijah Baxter, Jr., Rev. B. F. Clayton, Rev. E. M. Stone, Dr. A. C. Dedrick, Dr. A. B. Whitaker, Amos Perry, Henry T. Beckwith, Wm. B. Spencer, C. A. Lee, and others. Committee from the Rhode Island Historical Society—Ex-Governor Elisha Dyer, Isaac Southwick, Charles Gorton and B. B. Hammond.

The Town Council of Charlestown—John W. Money, Albert P. Allen, Henry S. Greene, Billings D. Macomber and George Burdick.

The late Indian Council—Benjamin Thomas, Joshua H. Noka, Daniel Seketer, Gideon L. Ammons and Brister C. Michael.

APPENDIX C.

ADDRESSES AT THE DEDICATION OF THE MEMORIAL BOULDER, AT FORT NINIGRET, AUG. 30, 1883.

COMMISSIONER CARMICHAEL'S ADDRESS.

May it Please Your Excellency :

The proceedings of to-day mark an epoch in the history of our State. For many centuries, tribal government, in some form has existed on this continent. Rhode Island is, I understand, the first State to absolutely abolish it. We are standing on historic ground. This is the oldest military post on the Atlantic coast. More than two centuries ago, Major John Mason, when on his expedition against the Pequots, halted under yonder bluff, just in the shades of evening. He remained without the enclosure over night. The next morning he was hospitably received by the Narragansetts, who were within this fort. Material assistance was rendered him by many Indian warriors, who coöperated in reducing the warlike Pequots to submission.

When Ninigret, in 1709, ceded to the colony of Rhode Island his vacant lands, and in return they guaranteed protection to him and his posterity, he reserved an area of sixty-four square miles, of which this was a part. Of all his possessions this region was to them the most dear, and although the princely domain of that time had become reduced to a paltry few thousand acres in our day, this spot has been retained by the Narragansetts until ceded to the State in 1880.

I leave to my associate Commissioner the duty of relating the work performed by us in settling the affairs of this people, transactions covering a period of two hundred and fifty years. I may say, how-

ever, that grave questions met us in the outset; that we were without law or precedent to guide us in their solution, that in the earliest part of our investigations it was learned that on and about the Indian reservation there were one hundred and fifty persons; that, scattered over many States, there were nearly two hundred more; that there were, perhaps, five thousand acres of land in Charlestown belonging to the Indians, four thousand acres of which, many years ago, had been set apart to the heads of families by the chiefs of the tribe; that the remaining one thousand acres, consisting mostly of swamp land, belonged to the tribe in common; that the land held in severalty, we caused to be surveyed and confirmed to the heirs of those to whom it was set off, giving them a title to such estates. The balance of the lands were sold, by order of the General Assembly, reserving this place and the Royal Indian Burying Ground. We also learned, that the Indian government of this territory, in theory, supported their own poor; that an annual election for Indian Council occurred in March of each year; that the income of the Indians from their estate from all sources, did not exceed fifty dollars per annum; that a separate school was maintained among them, supported wholly by the State. This school had practically been a failure for years. Under these circumstances, your commissioners commenced their labors. They concluded a treaty, or bargain, whereby the Indians ceded their lands to the State. Your commissioners divided the purchase money in equal parts, and paid the same to each member of the tribe. The poor of the tribe were to be cared for by the State; their children were to be allowed to attend the public schools in the districts where they resided. The tribal relation was to be abandoned, and the privileges and responsible duties of citizenship assumed.

The General Assembly, at its last session, made an appropriation for the enclosure of this spot. A boulder taken from their own lands, unhewn, in consonance with the character of the people whose memory it was designed to perpetuate, has been set up, and we are here to pay homage to the ancestors of these Narragansetts before us, for the kindness shown the founders of the Colony of Rhode Island. I will not longer detain you than to say, that in the performance of the duties entrusted to them, it was the aim of the commissioners to protect the interests of the people whose affairs they were instructed to settle, and at the same time to maintain the honor and dignity of our commonwealth.

Mr. Carmichael introduced His Excellency Governor Bourn, who said :

GOV. BOURN'S SPEECH.

In behalf of the State, it is my duty to accept the surrender of the trust committed to you by the General Assembly of the State, and I must congratulate you upon the able and impartial manner in which you have discharged the trust committed to you. The act of to-day terminates the history of a nation most hospitable, brave and generous ; the nation which gave a refuge to Roger Williams when expelled from Massachusetts for preaching the doctrine of soul liberty, and which remained a faithful friend to the infant colony until its power was broken by a merciless war, carried on by Massachusetts against the will and without the consent of Rhode Island. Looking back to the condition of this ancient seat before the advent of Roger Williams, an interesting picture rises before the mind, a picture of hills and valleys, covered with the primeval forest and abundant with game ; of villages, sheltering the Indian, yet undisturbed by white intrusion ; of lakes and streams, stocked with fish, meandering in their original purity, not yet turned to the busy uses of civilized man ; of the ocean, yet unshadowed by the sails and undimmed by the smoke of the ships and steamers sailing to distant ports. The Narragansett nation could at one time send five thousand warriors into the field, but now they have melted away like hoar frost before the summer sun, and the General Assembly of the State, which has so long been their guardian, has seen fit to dissolve the tribal relation, and place the remnant on the same footing as other citizens of Rhode Island. It is fitting that the last act of a duty well performed should take place at this ancient fort, and that a boulder from their own former lands should be a monument in memory of the relations which have existed between these Indians and the people of this State, and I trust that as enduring as this granite may be the recollection in the minds of the people of Rhode Island of the debt of gratitude which they owe to the Narragansett and Niantic Indians.

COMMISSIONER ADAMS

spoke as follows :— Perhaps it will not be amiss, at this time, to give a brief account of our stewardship :

Upon a petition numerously signed by members of the Narragansett tribe of Indians, living in the town of Charlestown, presented to the

House of Representatives at the January session of 1879, the following resolution was unanimously adopted (Feb. 18th):

"Resolved, That a select committee of three be appointed to inquire into the justice, expediency and practicability of abolishing the tribal relations of the Narragansett Indians ; of conferring the rights of citizenship upon the members thereof ; of the most equitable manner of disposing of the land belonging to said tribe, etc., and report at the next January session of the General Assembly, or sooner, if possible."

Subsequently, Messrs. Dwight R. Adams, George Carmichael, Jr., of Richmond, and George B. Carpenter, of Hopkinton, were appointed as said committee. On the 30th day of July, 1879, a little more than four years ago, the committee held the first public meeting, in the Indian meeting-house in Charlestown, to take into consideration the various questions pertaining to the welfare of the Narragansett Indians. Another meeting was held at Cross' Mills, August 13th, and again in the Indian meeting-house October 31st, 1879. The subject and questions involved were thoroughly discussed, and considered in all their bearings, by members of the tribe, and prominent citizens of Charlestown and vicinity. The conclusion of the whole matter was, that the tribal relations ought to be abolished, and all natural and legal rights be given to the Indians. On December 26th, 1879, at a meeting of the Indian council with the committee, an agreement was made by said council in behalf of the tribe to quit-claim to the State the interest held by said tribe in the tribal or vacant lands, and all other tribal rights and claims, real and imaginary, for the sum of five thousand dollars.

The committee made a report to the General Assembly, at its January session, 1880, and an act was also submitted, which embodied in its terms and provisions a final solution of the entire question.

Subsequently, March 31st, 1880, "an act to abolish the tribal authority and tribal relations of the Narragansett Tribe of Indians," was passed; creating a board of three commissioners to carry out the provisions of said act. The board, as appointed, consisted of Messrs. Adams, Carmichael, Jr., and William P. Sheffield, Jr., of Newport, and was organized April 29th, 1880.

On Saturday, the 8th day of May following, the commission met the Indian council in conference, and had a free and full discussion on the giving of the deed, and the resulting dissolution of the tribe; and on Saturday, the 15th day of May, the commission met the members of the council in the State House in Providence, and in the

presence of Gov. Littlefield, Secretary of State Addeman, and State Auditor Spencer, executed a deed which had been prepared by Hon. William P. Sheffield, and approved by Attorney-General Sayles, quitclaiming to the State of Rhode Island all the tribal lands and rights of the tribe, reserving only the use of the Indian meeting-house and lot, while being occupied by the present religious society.

Mr. J. L. Kenyon, of Richmond, was engaged by the commission to take charge of the surveying of the newly purchased territory, preparatory to the sale thereof.

Three public meetings were held by the commission — June 26th, July 14th and 29th, 1880 — at which all persons interested in the proceeds of the lands sold were notified to appear, and prove heirship thereto. Nearly five hundred applicants for membership were considered, and the total number entitled to a share of the "wampum," (\$5,000), to be divided, as finally determined by the Supreme Court, (Aug. 19, 1881), was three hundred and twenty-four, and the individual share paid to each was fifteen dollars and forty-three cents.

As soon as the plats of the surveyor were completed and given to the commission, three public meetings were held — January 5th, 7th and 12th, 1881 — when all persons were given a hearing upon questions relating to boundary lines of the tribal lands conveyed to the State, and conflicting claims and opinions were satisfactorily harmonized, in consonance with the feelings of all. Of the land acquired by the purchase, nine hundred and twenty-two acres were sold at auction, on July 11th and 12th, 1882, in forty-six parcels. Fort Ninigret, and a drive-way around it, the three ponds, to wit: Watchaug, Cockampan, and Deep, were reserved from the sale, and the titles to these remain in the State.

The late Indian council have rendered the Commissioners valuable and almost indispensable aid, and have been in practical harmony with us through every stage of our labors. Many questions have arisen in our new field of inquiry, such as, Could a member of the tribe abandon his tribal relations? Could the tribe adopt persons into the tribe who were not birth-right members thereof? Should the purchase money be divided among the members of the tribe according to the statute of distribution, or should every member thereof, without regard to age, receive a share? These and kindred questions were all settled without litigation, and with scarcely an appearance of friction.

The relation between State and tribe which existed nearly two

hundred and fifty years, ceased at the passage of the act of March 31st, 1880, and from and after that date the members of the tribe were subject to all the liabilities, and entitled to all the rights and privileges of citizenship. The Indians have assimilated themselves with their surroundings with no ill-effect, and the anomaly of a kingdom within a state, and yet not a vital part thereof, is happily among the things that were ; and at the termination of to-day's proceedings here upon "Fort Ninigret," the word "finis" can be honorably written in the history of the Narragansett tribe of Indians.

"It can never be said, with truth, that the Narragansetts, as a tribe, have been illy treated by the whites. Both under English and American rule, as wards of the colony and of the State, they have been protected, nourished and aided, with a generous and Christian care."

Your Commissioners have ever endeavored to faithfully perform the duties assigned them in such a manner that Rhode Island may always refer, with just pride, to the honorable termination of our dealings with the now extinct tribe of Narragansett Indians.

THE ORATION OF THE DAY.

Mr. Carmichael next introduced the orator of the day, the Rev. F. Denison, who spoke as follows :

Your Excellency, Members of the Indian Commission and Fellow-Citizens : We are now called to compose the last formal chapter of a remarkable and deeply significant history. We stand on memorial, tragic and historically picturesque ground ; on the one hand glancing back through Pagan shades into unmeasured centuries ; on the other hand peering trustfully into the mysterious future. We are deeply conscious of having a duty to perform to the venerable past, from which we have received a precious legacy, and also of an obligation to the great future, which will inevitably receive some color and direction from our thoughts and deeds. Our historic meeting is freighted with large reflections. The services of this hour are both commemorative and dedicatory ; altogether unique, unlike anything ever before observed in our country, or elsewhere ; and to the thoroughly thoughtful, the occasion is too broad and suggestive in its ideas and connections to admit of being fully formulated in words. . We can only touch a few points of the story.

From the imperfect and only data remaining to us, namely, the stone implements of the aborigines, their ancient shell heaps, and the indications of certain of their burial places, we venture to think that

there were people of original Mongolian origin in this region near eight hundred years before the coast was visited by Europeans and made known to the civilized world. Only into the last two hundred and fifty years of that period are we able to look with certainty as to events and characters. Beyond that we grope by the aid of faint traditions and faltering conjectures. Alas! without written language, without institutions, without a code of laws, without arts, and without real estate, except a communistic ownership of the wilderness as hunting grounds and corn patches, the natives sat in darkness, proving the weakness of nature's light, and transmitted no lessons of knowledge to the centuries following them. Here was shown the impotency of unaided Paganism ; its strength was insufficient for man's elevation.

Traditionally, we are told, that the ancient Niantics, neighbors of the equally old Narragansetts, held this coast from a line east of this fort on to the mouth of the Connecticut river and reached back about thirty miles into the forests. Devoted chiefly to fishing, they were a mild and usually inoffensive tribe. In process of time the hardy and belligerent Pequots from the interior desiring for fish and wampum, possessions on the coast, made a descent, like hungry wolves, upon the quiet old Niantics and nearly destroyed them, taking possession of the coast from Pawcatuck to a point west of New London, including the four rivers, Pawcatuck, Mystic, Poquonoc and Pequôt (Thames), with the adjacent islands, and reaching back twenty or more miles into the wilderness, leaving only two remnants of the Niantics, one in Lyme, Conn., known as the West Niantics, and one in this region known as the East Niantics, near the centre of whose territory is this old memorable fort.

These East Niantics, for security against the grasping, irascible Pequots, were obliged to form an alliance with the old Narragansetts, the powerful tribe on their east reaching to the eastern shore of Narragansett Bay, and northward more than thirty miles, and thought to have once numbered in their palmy days near thirty thousand souls. The league of these Indian monarchies, finally cemented by the intermarriage of the royal families, appears to have remained harmonious and unchanged till the dark day of King Philip's war. Frequently the Narragansetts had occasion to assist the Niantics in repelling the assaults of the Pequots. In withstanding those savage onsets this fort was of great service as a barrier against the invaders. It safely sheltered the Niantic braves, meanwhile it protected the war

canoes that took refuge in these serene waters. The foes of the Niantics, whether from Connecticut or Long Island, dreaded this stronghold and were never able to capture it. But for this fortification and the heroism displayed in it, the western boundary of Rhode Island would never have extended to the Pawcatuck. Herein we owe a debt to the patriotism and bravery of the Niantics.

The most ancient known dynasty of the Niantic Kings was that of the Ninigrets. How far into the unrecorded centuries that family of rulers extended is unknown. So far as we know, the law of blood-royal was never broken ; an order which reminds us of ancient Asiatic usage. Dutch and French traders on the coast, Roger Williams, and the first white settlers of Rhode Island found here the Ninigret, whose portrait is seen in "Westerly and Its Witnesses." It was this Ninigret who gave hospitable entertainment in this fort to the heroic Major John Mason and his bold band in May, 1637, on their march through the wilderness to the famous attack upon the Pequot Fort on Pequot Hill, in Groton, Conn. He also lent Mason a detachment of his braves to aid in the fiery and bloody stroke that laid the Pequots low and virtually ended that savage monarchy.

How must this old stronghold have then appeared, manned by plumed and painted warriors, armed with their rude barbaric weapons? How looked among these the quaintly-dressed Puritan army? How wild the exterior view of the fort! Since it was then a widely-known fortification, it is probable that it had been laid out and regularly maintained for perhaps centuries. Its boundary lines more than four hundred feet on each of its four sides, with its bold bastions on three angles after the style of the forts of other tribes, particularly those of the Pequots, bristled with rough logs, stakes, branches of trees, and brush, the stakes answering as palisades, among which branches and brush were woven, after the style of basket work. Within the enclosure were certain large wigwams and stores of corn. Would that our expert artist here to-day could call up the old fort, its exterior and interior, its defences, its occupants, the war canoes in the little bay by its side, and the royal commander of its forces with his bodyguard of bowmen, and also the wild condition of the surrounding country, with the old war trail now known as Queen Anne's road. Such a picture would be a volume of history. It can be drawn, however, only by the imagination.

We stand on ground that was once royal, though the royalty was diminutive and darkly shaded. To the people who shared it, it had

a grandeur that was real, though to us it would present an air of puerility; yet human greatness after all is a comparative thing. This was the civil and military capital of a people whose story should never be lost. Here between 1620 and 1790, one hundred and seventy years, reigned nine members of the Ninigret dynasty. 1. The Ninigret of whom we have spoken. 2. His daughter, a queen. 3. Her son, who died near 1722. 4. Charles Augustus Ninigret. 5. His son, Charles. 6. George Ninigret. 7. Thomas Ninigret, crowned in 1746, and so well and favorably known as King Tom. 8. Queen Esther, who had a famous coronation on the ancient granite throne, Coronation Rock. 9. George Ninigret, who, soon after our Revolution, was killed by the falling of a tree. He was the last occupant of the Indian throne. After his death, on account of the advance of ideas and the greatly changed conditions of life, the tribe laid aside the old royal belt of peage, and in imitation of republican notions, was ruled by an annually-chosen Council, consisting of a president and four members, an order of government that, with the addition of a few laws, continued with success till the tribe, diminished and faded, was disbanded by their own action and the labors of our Commissioners.

Christianity was first brought to the Niantics, as it was to the Narragansetts, by Roger Williams, who doubtless preached as best he could, in this fort, and here illustrated the great passion of his life, that which he felt long before his exile, and which he gave us in his own words when he wrote: "My sole desire was to do the natives good." He began his ministry among the Indians while at Plymouth, and twelve years before the missionary labors of John Eliot. Indeed, Eliot caught his spirit from Williams. In all truth it may be said that the colony of Rhode Island was the providential product of William's missionary labors among the aborigines.

Until King Philip's War, 1675-6, the Niantics remained confederated with their superiors, the Narragansetts. In that great and bloody uprising of the natives of New England against the Colonists, this tribe refused to join, and continued friendly to our fathers. Consequently, as a tribe, they survived the terrible shock that virtually destroyed the Wampanogas, Nipinucks and Narragansetts. The Niantics, in all their career, never lifted the tomahawk against the whites, but always preferred and honored the calumet.

When the Narragansetts were overpowered and crushed in the great swamp fight, in South Kingstown, in December, 1675, and their last king Canonchet, was killed in 1676, the remnant of the tribe took

refuge with the unharmed Niantics, and came under the preserved sceptre of the Ninigrets.

By mistake of annalists, the consolidated and blended tribes were spoken of as the Narragansetts, and the reservation of Indian lands was in some instances called the Narragansett country. But, in fact, the reservation, like all this region, from time immemorial belonged to the Niantics, and the royal house of this tribe survived that of the Narragansetts more than a hundred years. The sceptre of the Narragansetts perished in war; that of the Niantics was finally transformed to republicanism by the power of Christian civilization. Justly do we find it inscribed on this memorial rock — and let its name henceforth and forever be **MEMORIAL ROCK** — the Niantics were “always the unwavering friends and allies of our fathers.” Not but what there were pleasing and touching instances of generosity, kindness, fidelity, brotherliness and manhood among the Narragansetts, as there certainly was to a conspicuous degree in old King Canonicus.

Ah! and when will Rhode Island raise, as she certainly ought, some memorial stone, similar to this memorial rock, to the memory of Canonicus, without whose hospitality and benevolence to the founder of our State, Rhode Island would never have existed. Here I cannot refrain from uttering my thought, a kind of lament and plea touching

THE GRAVE OF CANONICUS.

Is there no humblest stone to spell the spot
 Where sleeps the monarch of his race?
 Shall we, inheriting his kingdom, not
 Respect his royal resting place?
 Shall princely life and honors be forgot?
 Is this deserved historic grace?
 To exiled Williams, what a faithful friend?
 As to our fathers, what a stay?
 And shall their favored children not forefend
 His worthy name from dark decay?
 Is there no heart of gratitude to lend
 Remembrance where low rests his clay?
 Serene Conanicut, sea-laved and fair,
 May boast the record of his throne;
 Its shores and heights blessed with the healthful air
 That gives to thought a broadening tone;
 Yet no memorial acre bid to bear
 His fame who called it all his own.

Once proudly lit he there his council-blaze,
 And mandates gave to painted braves ;
 Once listened to his people's ardent praise
 As to the anthem of the waves,
 And 'mid deep mourning, when were closed his days,
 Was laid beside his fathers' graves.

What though to us that kingly life was rude ?
 Recall we not our ancient sires ?
 Our vaunted culture has been varihued ;
 Imperfect still our altar fires ;
 Mayhap our children's children will conclude
 That we had some ill-shaped desires.

Then let us choose some massive, rugged rock,
 That near his royal home we find,
 Whereon, in lines that time may vainly mock,
 With generous, native ivy twined,
 To hold his name until earth's final shock
 Shall close the drama of mankind.

The father of Canonicus was the famed Tashtassuck, distinguished alike for his wisdom and his valor. Canonicus was the oldest of his four sons, and, judged by the moral atmosphere he necessarily breathed and all his Pagan environments, was a mild and generous prince. He died June 4, 1647, at the age of about 85 years. When shall he have his suitable memorial that may be pointed out to all the generations that shall traverse the beautiful waters of Narragansett Bay?

Greatly, too, is it to be desired that the wisdom and foresight of our Commissioners in erecting this significant and enduring boulder-monument on this old stronghold, might be imitated by the State, or by the public spirit of the citizens of our favored commonwealth, in erecting a like native monument on the never-to-be-forgotten site of the great swamp fight in South Kingstown, the most important battlefield of the State, the spot wet with the blood of so many Indians and Colonists, and where the fate of the Narragansett nation was decided by the sword. When shall such a deserved record-stone be set up? Whatever place holds the associations of remarkable deeds and characters, thereby becomes worthy of respectful and enduring remembrance.

And when shall our picturesque, opulent, fashionable "city by the sea," Newport, so rich in historical material, manifest a just historic spirit in erecting a boulder-monument— not a figure of art, but a work of nature— to King Miantonomi, at his royal seat, old Tonomy Hill, the commanding height made memorable not only by the royal

wigwam of that cruelly-murdered prince, but also by being the residence of the last sachem of the ancient Aquidnecks. Indeed, this last consideration should be enough to secure the memorial.

Still further in this line of thought. Certainly Bristol county can never be just to itself till it has set up some visible memorial — and let it be a boulder-monument, a symbol of rude grandeur — to King Massasoit in the village of Warren, the spot where he generously entertained Roger Williams and cordially welcomed the Pilgrims. Such memorials would bring a thousand-fold recompense, in reflecting intelligence, character and dignity upon the State.

The consolidated Narragansetts and Niantics, on the reserved lands, after selling some of their domain and finding themselves closely pressed by English society and customs, and thus limited in their hunting grounds, became somewhat dissatisfied with their situation, and at last, under the reign of King Tom, quite a number of them voluntarily emigrated and identified themselves with the red men in the interior of the State of New York. Indeed, the tribe underwent its greatest modification of life and manners under King Tom, who lived very much like the whites, as the house he built will testify, and strongly favored forms and means of English education. In 1750, under his reign, was formed the Indian church that still exists. In 1765, in a letter to the Society for the Propagation of the Gospel, petitioning for the establishment of free schools among his people, he closed by thus expressing his desire : “That when time with us shall be no more ; that when we and the children over whom you have been such benefactors shall leave the sun and stars, we shall rejoice in a far superior light.” Wonder not, then, if here, in this address, some tender thoughts crowd on the mind respecting gentle and once greatly beloved

KING TOM.

Thou best of kings of the Niantic blood,
 Erst honored here with sway ;
 Regardful where thy kingly feet once trod,
 We fain would tribute pay.

To rulers ever be the honor paid
 That rank and wealth demand,
 And whosoe'er has goodly record made,
 Shall reverence command.

Thy form rests mantled in the royal ground,
 But with us lives thy name,
 To stand in grateful history's volume bound,
 Enfolded in its fame.

The royal blood coursed proudly through thy veins,
As back thy eyes were cast,
Upon thy sires who ruled these hills and plains, .
In the unmeasured past.

Heir to a Pagan throne, thou didst behold
The fading of the night ;
But brightly rising o'er the gloomy old,
The guiding Bethlehem light.

The while thy father's hunting grounds grew less,
And manners new arose ;
With all thy hopes and fears of changefulness,
Departed to thy foes.

And when at last thy westering sun went down
And oped the gates ajar ;
'Twas thine we trust to leave thy earthly crown,
To wear one brighter far.

Peace to thy ashes, as to all thy sires ;
And to thy people's graves ;
Long live the story of thy council fires,
And memory of thy braves.

In their political relations to the colony and State, the natives, from the days of Williams to 1709, were regarded as under a sort of protectorate of the whites and the British crown, and from 1709 to the recent close of their government on the reservation, it was understood both by themselves and by the colony, and afterwards the State, that they were related by treaty, or alliance, wherein both parties retained certain rights, modified until the revolution by a relation to the crown of England. Roger Williams's cardinal doctrines of the brotherhood of men and the right of the aborigines to the soil of the country, were conscientiously and faithfully carried out by the authorities of the State in all their dealings with the natives. Lands were purchased always at the price named by the owners. All stipulations were carefully observed. As agreed upon by both parties in 1709, lands were definitely set off and reserved *in perpetuum* for the blended remnants of the two tribes. That compact was never violated. In the revolution the Indians joined the colony in throwing off the galling English yoke, and lent their power to the patriot cause. Some of them served in the patriot army.

Finally, with the decline of their numbers, their change of manners, their removals to various localities, and their intermarriage with other bloods, there came the great question of their tribal disband-

ment, the division of the reserved lands and their absorption into the citizenship of the State. The solution of this intricate problem is found in the admirable doings of our Indian Commissioners during the past four years. Their difficult, delicate labor is successfully closed to-day. It is more than fitting; it is an imperative duty to make honorable mention of their tasks. They had no precedents by which to be guided. Their's was an untrodden path. There existed no definite law governing the transactions to which they were called. Rhode Island and the tribe were united simply by treaty, and neither party had the expressed right to control the other. It was a case of *imperium in imperio*, a State within a State, where both parties had to be equally consulted and some new plan agreed upon whereby one party should be retired by becoming a part of the other. Only the general laws of equity were available in the case, and even here the blazed trees in the forest to be traversed were few and far between. Moreover, such was the scattered, indefinite condition of the tribe that the idea of doing justice to each member seemed almost impossible. But the whole problem was thoroughly studied, all parts of it were carefully taken in hand, patiently analyzed, and the whole complicated matter was finally settled on principles of equity to the complete satisfaction of the parties. For this labor and success, special thanks should be publicly expressed to the Commissioners. Their doings have reflected honor upon themselves and upon the State. Some niche in Rhode Island history should be given to their names—Adams, Carmichael, Sheffield. We would also preserve and honor the names of the members of the last Indian Council—Ammons, Thomas, Noka, Michel, Sekater.

And here it is but right that I should add the testimony of the Commissioner in this town, upon whom much of the details of the work of adjusting affairs devolved. In a letter to me, speaking of the Indian Council, he says: "They were as intelligent and shrewd a body of men as can be found in any town council in the State. Their patience and unwearied attention to details, and their assistance in all matters in settling the tribal affairs, deserves a cordial recognition. Give the Indian Council their meed of praise; it is well deserved."

Your Excellency: How appropriate it is that these ancient, beautiful acres should be held, for all coming time, by the State of Rhode Island, as ground consecrated to the memories of a people upon whom she was once dependent—a spot devoted to those sentiments of humanity and fraternity that ennoble mankind. It has been dedicated

by Indian empire through untold centuries. We wisely reconsecrate it for ourselves and for our children. Forever may posterity count it as hallowed to story, as it will also count Coronation Rock, the stone church and the reserved Indian burial places. How justly, as toward the Indian kings, their armies and their people, have our Commissioners enclosed this venerable fortification with this granite and iron fence, planted these clusters of evergreen trees around it for perpetual beauty and native associations, and lifted from the soil this kingly boulder — itself a type of the rude native life once reigning here — cutting upon it a brief record and tribute that may endure through all future ages. This work may properly be termed a deed of historic piety, and for it coming generations will be thankful.

Yes, this hour is historic. The statements just made by the Indian Commissioner, the felicitous address of Gov. Bourn, the works of the painter and the photographer, now sketching this scene, and the addresses to which we are still to listen, will make this occasion indeed richly memorial. And all of us who have come pilgrim-like to this old historic ground as to a shrine, have the strong advantage of varied and inspiring associations to aid us in our just service. Here the imagination summons up near eight hundred years of unwritten Pagan experience. Here rise before us the bewildering ghosts of Indian superstitions. Here are propounded anew, and with peculiar force, the deep questions of hereditary tendencies, the power of old associations, the strength of long usage, but, withal, the inevitable degenerations of false faiths and the final overthrow of unrealities before the march of truth. Evidently, true civilization follows alone the light that cometh down from Heaven.

Here, by the help of annals, we see Dutch and French traders selling metals, beads and bottles of "fire-water" to the natives for beaver skins and fur mantles. Here we seem to behold members of distinguished Indian councils, possibly Massasoit, Canonicus, Miantonomi, Canonchet, Pomham, Sosoia, and the chiefs of the Nipmucks, Manisses and Metoacs, but not Sassacus, of the Pequots, or Uncas, of the Mohegans. Here, doubtless, in his prime, of strength and hope, stood Roger Williams, "the apostle of religious liberty," and preached the Gospel to proud Ninigret and to his wondering bowmen, and gathered up some of the guttural words and phrases for his "Key to the Indian Tongue"—that remarkable and only lingual monument of the Narragansetts and Niantics. Here slept in security Mason, Underhill, Stone and the heroes of Pequot Hill. Here, armed or

unarmed, white men were invariably treated with kindness. Here compacts were always fulfilled with fidelity. Aye, what various scenes and pageants of war and peace have here passed in the by-gone centuries. Kings and queens, in their barbaric pride, here wore their royal belts of peage and were surrounded by their bodyguards of stalwart men with feathery plumes, leather regalia, painted faces and armed with clubs, bows, stone scalping knives and stone tipped spears. Here braves went out to savage battle and returned with bloody spoils. Here royal mandates were given, and scalps were displayed as the proofs of valor and of victory. This ground is freighted with memories of checkered deeds and experiences; and not least so as bringing into comparison and contrast the darkness and feebleness of paganism with the quick, animating ideas and forms of Christian civilization which gave life to our republic and have now transformed our continent. Here have been wrought out problems that may well be studied by statesmen, moralists and divines.

On this coast met two types and tides of human life. They failed to mingle, because they were so diverse. Roger Williams's hope of the natives was not realized. The weaker slowly gave way to the stronger. Except in the ill-timed and disastrous stroke of Philip's war, there was no conflict of races. There was an innate deterioration in the Indian blood, and the tribes were evidently losing both numbers and constitutional vigor when the whites first reached these shores. And gradually, despite the presentation of the Gospel, the helps of schools, the incentives of arts, and the proffered advantages of commerce, the old life faded, fainted and expired. Such as remain of the old tribes, having undergone modifications of blood and manners, are now full and regular citizens of the State. Politically speaking, there are no more Indians in Rhode Island. The alliance between the natives and our fathers, that really began in 1636, has now terminated, as it began, in peace and brotherly love.

It may be said, without fear of contradiction, that, considered in the nature, power, spread and triumph of her peculiar principles, no province of the earth, save Palestine, has contributed more to the progress of human liberty than Rhode Island. One of the cardinal ideas of her founder, the one which first provoked the opposition of Massachusetts and prepared the way for his exile, that the natives were the rightful owners of the country, deemed a heresy elsewhere, has always here been sacredly held and continuously illustrated. However the Indians may have been treated by other States and nations,

here has been shown to them the Christian law of the brotherhood of all men. Now that the natives as a separate and organized people have ceased to be, Rhode Island has nothing to regret or to conceal, as to her treatment of them or their fathers. In this respect her escutcheon is unstained, and to-day she affirms, both by her words and her deeds, she is neither forgetful nor ungrateful toward those who, under God, were the original proprietors of this soil. Happy would it have been if her Indian policy had been followed by the other colonies, and by our nation.

But time admonishes us to close these condensed and hurried thoughts. These are just and creditable services. Honor to the State of Rhode Island for reserving for all coming time this and other portions of the old Indian empire, as sacred historical memorials. Honor to our far-seeing Commissioners for the proper protections and adornments they have added to this ancient stronghold, the oldest and most impressive Indian memorial to be found on the coast of New England. Let the gifted painter now at work before us (Mr. Elijah Baxter) truthfully sketch this historical scene, including in the picture Governor Bourn, the Commissioners, the Indian Council, and the group that represents the departed tribe. Let our Rhode Island Historical Society, so well represented by ex-Governor Dyer and delegates, make full note and record of these last scenes and doings in the Indian history of our State.

Memorials like this gives sanctity to a land. They broaden and deepen the historic love of a people, teaching them due reverence for the past, quickening the spirit of enquiry into human relations, stimulating a worthy ambition to live as in the sight of all mankind; thus laying an enduring foundation for love of country and for the culture of exalting ideas. Rightly viewed, such memorials are investments that make the largest and happiest returns both of intelligence and of public virtue. Our State should have more of them, and all the relics of Indian life should be preserved.

Had we power to address those who are to come after us, we would say with emphasis: Ponder the hoary past, the darkness and the light, the story of the aborigines and of our fathers; consider what religious and political problems in two hundred and fifty years have been wrought out on these shores; cherish the traditions and memories of Canonicus, Miantonomi, Canonchet, and the Ningrets; under all changes of time and society hold sacred and inviolate this ancient fortification; guard ever yonder tombs of the Indian Kings and the

graves of all the brave Niantics; shield from all injury in all coming time, as a memento of barbaric royalty, yonder rugged yet eloquent Coronation Rock; and here let no vandal hands ever be laid on what we now sacredly dedicate Memorial Rock, tenderly set up and inscribed with the gratitude of Rhode Island to the people who once for centuries commanded this coast, and who in their noble, native generosity, gave hospitable shelter to our exiled fathers.

Rhode Island holds the Indian name
As sacred with her own.
And here to vindicate the claim,
Presents her bond in stone.

EX-GOVERNOR DYER

spoke as follows :

Mr. Chairman: My colleagues, of the committee from the Rhode Island Historical Society, with that courtesy so characteristic of each, have requested me to express our grateful acknowledgements of the kind attention to us, and to the Society we represent on this most interesting and laudable historic occasion. We do not come as "messengers of mercy" to the descendants of those whose memories we are here to recall and honor and who, I trust, have long since had the fullest fruition of more perfected blessings in the "realms above" than any we could hope for them here below. Our mission is to honor those who, in the days of our State's infancy and weakness, stood firmly and bravely by the side of our Colonial Fathers in maintaining the rights and bounds of this loved land of civil and religious liberty, so that it now takes rank with all others for intelligence, industry and prosperity; to those who prevented the incursive Pequots from making our beautiful Narragansett Bay the eastern boundary of Connecticut; to do homage to the memories of nature's sovereigns and their people in whose hands the "calumet of peace" was far more dearly cherished than the bloody tomahawk. As long as this memorial, we dedicate to-day, shall continue, so long will our children's children be reminded of the Ninigrets and the Niantics; their virtues and deeds of noble daring of such an honored record. I must not forget that we are favored with the most acceptable presence of His Excellency the Governor of this State, and others of her distinguished citizens, and once more repeating the assurances of our grateful appreciation of the courtesies extended to us and to our Society, with

you, we eagerly await the literary feast of the day from the accomplished historian and poet of the occasion.

MR. MILLEN S. GREENE

then read the following poem :

I.

With humble reverence and uncovered head
I stand beside this mound;
With shoeless feet I fain would softly tread,
For this is holy ground.
Wherever kings and chieftains of the land
Have sat in regal state,
Forbid it, Heaven, that unregardful hands
The spot should desecrate.

II.

We stand and bend the eager, listening ear,
For whispers from the past—
We strain the vision, but we vainly peer,
No shadowy form is cast.
The silence of the unrecorded years
Speaks in its undertone;
And stirs the fancy, as we faintly hear
The tramp of ages gone.

III.

We may not penetrate behind the veil
And scan the scenes beyond;
We only know that human hands must fail
To lift the shadowy frond.
Enough remains that red men had in store
T' immortalize their name;
These hieroglyphics of unwritten lore
Perpetuate their fame.

IV.

This bastioned relic of a mighty race,
A living record bears;
Tho' rude, yet not untaught, an honored place
On history's scroll is theirs.
'Tis fitting, then, in honor of their dead,
Their noble deeds rehearse,
Recalling scenes, by fact or fancy led,
In prose or rustic verse.

V.

We plow, and thoughtless turn the crumbling soil,
Which once brave warriors pressed;
We reap the harvests of our yearly toil,
Where kings are laid to rest.
We plod along the sinuous woodside walks
Where Indian maidens tripped;
We stand upon the very moss-clad rocks
Where once the wild deer skipped.

VI.

The young men proudly trod these conscious glades
When from the chase returned;
Approving glances from the bright-eyed maids
In secret bosoms burned.
For e're since Adam, in his prime began
To woo his faithless dame,
Hath women's smiles and loving glances fanned
The heart's divinest flame.

VII.

Where now the tribes that thronged these woody hills
And chased the tameless deer?
Whose wigwams by the springs and mountain rills
O'erflowed with friendly cheer?
Where now the birch canoes that lightly skimmed
Across this quiet bay?
Where are the voices of the maids who hymned
Their evening roundelay?

VIII.

Where are the braves who battled side by side
In every hostile fray?
The noble chiefs whose friendship true and tried
We honor here to-day?
The kings, who proudly wore a civic crown?
The royal sceptre swayed?
Whose very lips unmantled with a frown,
Spoke only when obeyed.

IX.

Let yonder rounded, leaf-crowned hill reply,
Whose trees, like nodding plumes,
Bend over the graves where royalty doth lie,
Beneath the wild flowers' bloom.

Let these mute fields, that now with harvests smile,
This quiet, peaceful bay,
This fading fortress, answer make meanwhile—
What secret voice have they!

X.

Methinks I hear, born from the ocean caves,
The beating of its surge;
The nearer, listless lapse of quiet waves
That kiss the pebbly verge.
I see the azure dome above our heads,
So measureless and vast;
With flooded light and star-gems overspread,
In beauty unsurpassed.

XI.

Our inmost souls are with emotion thrilled
By thoughts that spring from thence;
The whispers of these voiceless tones are filled
With speaking eloquence.
And thro' these many wondrous works of God,
We feel the power divine;
And kneeling on the fresh and verdant sod,
We worship at His shrine.

XII.

The same glad sun hath swept its daily round,
Thro' centuries untold;
The same bright stars have flamed in depths profound
Since when they sang of old.
Eternal utterances have thus proclaimed
God's wisdom, power and might;
But darkened minds, led by a power unnamed,
Groped in a shadowy light.

XIII.

So what may cause our longing hearts aspire
To grand and lofty thought,
To those less favored, no sublime desire
May move a soul untaught.
But equal bounties, by His kind decree,
Who heeds the sparrow's fall,
His love and pity, measureless and free
Are thrown broadcast to all.

XIV.

So, guided by one common fatherhood,
This noble race of braves,
The faithful allies of our fathers stood,
And sleep in kindred graves.
'Tis meet that we commemorate the deeds
Of those departed sires,
Who lavishly supplied our urgent needs,
Around their council fires.

XV.

Their steadfast favor ever bright and brighter grew,
As year succeeded year;
No human hearts were half so firm and true,
Or friendships half so dear.
Their faith, unswerving in the white man's cause
This granite face records;
And future wayside travellers here will pause
To read the magic words.

XVI.

Unwritten volumes of forgotten deeds
Are buried with their past;
Their wars, their pastimes and their creeds,
Are in oblivion cast.
This remnant of that proud and noble race,
With hearty cheer we greet,
Within our hearts they hold an honored place,
With gratitude replete.

XVII.

Their numbers small, their feeble footsteps turned
Towards their setting sun,
Their evening tapers to their sockets burned,
Their journey almost done.
Their fathers, who have long since passed beyond
The twilight's golden gate,
For them, upon the happy hunting ground,
With beckoning hands await.

XVIII.

An honest pride is theirs t'enjoy to-day,
Sprung from their ancient fame;
A sense of gratitude is ours alway,
In memory of their name.

May heavenly dews descend upon the mould,
Where weeps their cypress vine,
And bless the soil which tenderly doth hold
Their fathers' dust and mine.

SENATOR ALDRICH,

upon being introduced, said that coming down on the cars the Secretary of the Historical Society had shown him a pamphlet which had rather unsettled his convictions as to Rhode Island history. This pamphlet was written by Dr. Parsons, and proved conclusively to his own mind that this fort was built by the Dutch. The Senator added: "I am still further satisfied that this fort was built by the Dutch because of the appearance of my friend, Mr. Chace, as a speaker on this occasion, a circumstance which compels me to believe that, if there ever has been any armament in this fort, it must have been Quaker guns. [Laughter and applause.] But, aside from all this, the occasion is most significant and memorable. The official representatives of the State are very properly here to bid Godspeed at the outset of their new career to the inheritors of a great name, and to show that the people of Rhode Island recognize the obligations they are under to the Narragansett Indians, but for whose friendly alliance and support the experiment of our ancestors in endeavoring to establish a new colony on the broad principle of freedom of conscience, would certainly have perished. Through the influence of Roger Williams with the great chieftains of the Narragansett tribe, the colony was not only saved from destruction, but recognition, denied for a long time, was wrung from the other colonies of New England. These are services which a grateful and generous people never can and never will forget, and I trust that this unpretentious stone may for centuries remain in this beautiful spot, a proper memorial to the manly qualities of the ancient possessors of the soil.

REPRESENTATIVE CHACE,

after a pleasant allusion to the Commission, said :

"I was reminded of an interesting point, while the orator of the day was speaking, and that was the claim of Connecticut to jurisdiction over this territory. The other day, in conversation with a friend upon that subject, he called my attention to 'Bowen's Boundary Disputes of the State of Connecticut.' Bowen said that when Governor

Winthrop, of Connecticut, went to London in 1662 to obtain a charter for the colony of Connecticut, the scrivener who drew up the charter made a clerical error, including in the jurisdiction of the colony all the lands as far as the 'Narragansett River,' when the intention was to have placed the boundary line west of the Pawcatuck. For eighty years the question of jurisdiction over this land was contested in the courts between Connecticut and Rhode Island, although when the Crown granted the charter of Rhode Island in 1663 special attention was called to the fact that the Connecticut boundary was to end at the Pawcatuck river. Some of my friends may doubtless be aware that Wickford, then called Narragansett, was at one time held by a Connecticut constable, and even now, if the owners of the soil on which we stand were to undertake to search their title, they would be obliged to go to Hartford to find it. Another idea. A good name is a most precious legacy to transmit to our posterity, and the State of Rhode Island may well entertain with just pride the memory of her treatment of the Indians. She may well regard with gratification the fact that no perfidy or treachery stains the record of this colony in dealing with the red men. Only two colonies, Rhode Island and Pennsylvania, are entitled to the proud distinction. Your orator has said that Roger Williams paid for the soil. He not only paid for it once, but for large tracts he paid thrice, in the current coin of the realm, and paid fairly each time.

What is the lesson of the hour? We, as citizens of Rhode Island, felicitate ourselves on the fact that our hands are unstained in this matter, but it is our duty to remember that as members of this great confederation of States, we, as citizens of the Union, are liable and responsible for the treatment of the Indians in the western territories. I wish that I possessed the force and eloquence of an orator to enforce the gravity of the responsibility imposed on us by the condition of the Indian tribes, who are the wards of the nation, and for the treatment those tribes have received. When we remember, in the words of Jefferson, 'God is just, and His justice will not always slumber,' and that every drop of blood that trickled down the back of a slave was atoned for by blood shed upon the field of battle, that every dollar wrung from the unrequited toil of the slave was paid in the loss and suffering and waste of war. I ask whether it is not imperative on us, as a duty to ourselves and to our posterity, to treat the Indians as they ought to be treated, in order that if again the judgments of God shall be visited upon the land, our doorposts may be sprinkled,

that the Angel of Wrath may pass over our households and leave us unscathed."

REPRESENTATIVE SPOONER

was next introduced, and said that the work completed to-day had from its inception had his most hearty support, and as far as he was able, his hearty coöperation. The treatment of the ancient proprietors of the soil by the people of Rhode Island had been an example for the country. By act of the General Assembly the Narragansett Indians had been absorbed into the body of the State, and to-day it could be justly said there were no Indians in Rhode Island. The Indian stood to-day a fellow-citizen of the common State. Col. Spooner congratulated the Commission on the close of their well-performed labors, and the State of Rhode Island upon the consummation of those labors. Rhode Island was a little State, but she had justly vindicated her title to be called the pioneer in the assertion of freedom of conscience and of fair dealing between man and man.

SPEAKER JILLSON

alluded to the fact that but for inscriptions on monuments and tombs of stone, nations long passed away might have been utterly forgotten, and it was fitting that the State of Rhode Island should in some form place an inscription on enduring rock in memory of the early people of Rhode Island. He spoke of the bravery of the Niantics in keeping intact their boundary, and of the hospitality of the Narragansetts to Roger Williams, and traced the decay of the tribe from their prime until to-day, adding that it was fitting that the relation should now cease, and that he trusted that the Indians would prove faithful citizens of the commonwealth.

GIDEON L. AMMONS

spoke as follows:

Your Excellency, Governor Bourn, Honorable Senators, Gentlemen and Ladies:

This fort was held by my ancestors when they had prepared to meet their foes and repel attacks. They had a navy, and so they needed a fort. And they kept back their enemies from Long Island and from King Philip's trail. Finally they all met on Bonnet Point to bury

their battle-bows and arrows and all implements of war, or to throw them into the Bay. The war canoes were broken and burnt up, and they stopped teaching their children war. They stopped teaching their children the Indian tongue, and the fort was left unmanned, and has been so for two hundred years.

Here, for myself, I wish to give honor to all the Governors of the State from 1847 to 1883, and also to the Legislatures that have labored for me in all the affairs of the tribe. They have always given the tribe the victory. Many of the names of these persons I have forgotten. I feel very grateful to your Honorable Body for all that has been done in the past.

I here speak also of our Honorable Commissioners, who have been honorable both to the State and to us. In all matters we met with joy and parted in love. There was not a moment of time lost while we were together, and the work they have done is an honor to the State and to the world. Here, now the people of the Eastern Continent with the aborigines of the Western Continent are set upon equal footing in the eyes of the law, in the State of Rhode Island.

The Hon. George Carmichael Jr., it appears to me, has been overtaken with calls from our tribe from all parts of the country, between the meetings of the Commissioners. I hope the State will look at the work done by the Commissioners, and bestow on them proper laurels, that they may ever be mentioned as true friends of the tribe during the last years of its existence.

And I am so glad that the Lord put it into your hearts to preserve the old fort.

I have been highly gratified with the historical account just given to us by the Rev. Frederick Denison. It could not help pleasing everybody. Sixty-five years ago, there were but a few of the Niantics left in the Narragansett country. Our tribe now has no legal existence, and no person can be found to represent the Indian race. The change is so great, I feel sorry to think of it. I am done.

JOSHUA H. NOKA

spoke lastly, to wit :

I need say but a few words. I need not go into the history of my forefathers, or seek to garnish their sepulchres. We know that they were friends to the white men. They fed them; they set before them the best they had; and they furnished a shelter for them. We have

opened our homes to them, and in our places of worship we have worshipped the Great God of heaven together.

But what have we heard and seen from some? Still the scorn and sneer and eye of contempt were cast on us. While we were trying to preserve and quietly maintain our government, some of our white neighbors were running to the General Assembly asking for the abolishment of our tribal authority. However, I will not speak of wrongs.

Allow me to say, I am the vice-president of the last Indian Council, and my right hand signed the deed conveying all our public lands to the State of Rhode Island, except the spot where our church is located. We are thankful that we were favored with such excellent men as State Commissioners. We have tried to act right on our part, and I believe they did on their part.

One thing we desire. Once a promise was made us that a road should be laid out to our church. It was laid out, but it was not right; it crossed the land of A, B, and C, and if we cross we commit trespass. We ask that the road be laid out lawfully and permanently. There are also some bounds that ought to be set up. And let me say that we hope the State, or the people in the State, will help us finish up our church edifice, and see that it is done while the present generation is alive. I travelled and begged money to build the house, but did not get enough to finish it. If the State wishes to do us good, now is the time. We have the same blood running through our veins that we had before we sold our lands. Now let the same sun shine on us that shines on others. That is all we ask.

Benediction by Rev. B. F. Clayton ended the exercises of the day.







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